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**IN THE SUPREME COURT OF THE STATE OF NEVADA**

YOAV EGOSI	)	
Appellant,	)	<b>No.: 83454</b>
vs.	)	
PATRICIA EGOSI, N/K/A	)	District Court Case No.: D-16-540174-
PATRICIA LEE WOODS,	)	D
Respondent.	)	

**JOINT APPENDIX**

**VOLUME 4 OF 19**

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1 And each -- do you want me to describe this document?

2 Q I don't want you to read from it, but I want you to  
3 describe what it is and then we'll --

4 A Okay.

5 Q -- move it into evidence.

6 A So the -- the tickets will show when a original  
7 ticket was open. And this particular one that I'm looking for  
8 was opened by customer sending email. That ticket was  
9 assigned to Patricia. And you can see Patricia's name is on  
10 this ticket. A customer sent authorization to move their  
11 number. And Patricia tells the customer not to cancel the  
12 existing account and -- and she will advise them on once the  
13 port is complete. That's what this ticket talks about.

14 Q And are there other pages behind it?

15 A Yes, sir.

16 Q What are they? Just what they are quickly.

17 A Okay.

18 Q One by one by one.

19 A Yes, sir. This particular ticket is a billing  
20 ticket. This -- this particular person has a billing question  
21 and Patricia answers regarding this.

22 MS. McFARLING: We -- we haven't been provided a  
23 copy of this exhibit.

24 THE WITNESS: Okay. I can --



1 MS. McFARLING: You gave it -- you -- you handed it  
2 earlier and then took it back.

3 THE WITNESS: Bates stamp number YEG01 --

4 MR. JIMMERSON: We absolutely provided it to you,  
5 Counsel before you make the representation --

6 MS. McFARLING: Not -- not anything -- there is  
7 something marked as MMM in 20, but this is not it.

8 THE WITNESS: But you can look it up on the folders.  
9 It's Bates Stamp YEG010766.

10 MS. BREWER: That's the identical that Mr. Jimmerson  
11 has that the clerk has.

12 THE WITNESS: This is just a summary.

13 MS. BREWER: This is identical.

14 MS. McFARLING: My MMM, Counsel, is the transcripts.

15 MS. MENTZEL: Yep.

16 MS. McFARLING: That's what I have as MMM.

17 THE COURT: So this should be NNN. Was that the  
18 next one in order?

19 (COURT AND CLERK CONFER BRIEFLY)

20 THE COURT: It -- well, it should be what is the  
21 last exhibit.

22 MS. McFARLING: This is my MMM.

23 MR. JIMMERSON: And it's -- it will be after that,  
24 ma'am.

1 THE COURT: So is that the last one marked?

2 MS. McFARLING: Yeah.

3 THE COURT: So yeah. So this should be NNN.

4 THE CLERK: Okay. So okay. I'll have this marked.

5 BY MR. JIMMERSON:

6 Q All right. And what I need you to do is to just  
7 read the bottom Bates stamp numbers.

8 A Oh, okay. No problem.

9 Q Now, let's just talk about the body of documents.  
10 You provided about 9,000 documents?

11 A Yes, sir. That's correct.

12 Q And why did you provide those? And why did we  
13 provide them to opposing Counsel?

14 A Because Patricia, through her Counsel -- I believe  
15 it was six times that she says that Patricia did not read,  
16 write, or speak English. And --

17 Q Is that a true statement?

18 A That is false statement.

19 Q What is the true -- what is the truth?

20 A The truth is that Patricia spoke, read, write, and  
21 understand English.

22 Q And so you produced those documents to evidence her  
23 ability to read, write, and read -- and speak the English  
24 language?

1           A     At a great cost, yes, sir.

2           Q     And so continuing with those documents, what else do  
3 you have there? And by looking at them since the Judge hasn't  
4 seem them, do you maintain these records in the ordinary  
5 course of business?

6           A     Yes, sir.

7           Q     And you know these are true and correct copies of  
8 what you would have in Atlanta, Georgia?

9           A     Correct, and the ticketing system is designed in a  
10 way so it cannot be altered or -- or changed.

11          Q     And how is it so designed?

12          A     It's -- it's a company that even governments use.  
13 It's called Request Tracker. It's called RT. She knows it as  
14 RT. It's -- we use that for auditing purposes so we can track  
15 everything that's said by an employee to -- let's say to a --  
16 to a client. That way if there's a complaint about a  
17 particular employee, we can pull it up and we have records of  
18 it.

19               MR. JIMMERSON: Okay. I move for the admission of  
20 Exhibit NNN.

21               THE COURT: Triple N? Any objection to the  
22 admission of Exhibit NNN?

23               MS. MENTZEL: I object to the authenticity as far as  
24 we don't know how it was created. I know witness testified as

1 to how far it was created. Simple fact is we just were  
2 provided these documents. We have no proof of how they were  
3 done, of where they came about, or even if Patricia has  
4 actually been the one to draft these documents.

5 THE COURT: Would you lay more of a foundation, Mr.  
6 Jimmerson? So I'll sustain that objection.

7 BY MR. JIMMERSON:

8 Q How do -- please tell the Court why you know those  
9 are authentic copies of the original documents that exist in  
10 your business office for the time period specified?

11 A The -- the -- these tickets are still in our system.  
12 It's not something that was printed years ago. It's something  
13 that is -- always stays on our system. And we have to keep it  
14 for auditing purposes.

15 Q And you made copies? You supervised this yourself  
16 personally?

17 A When we made copies for you? Yes, sir.

18 Q You didn't want to pay any kind of a -- a pay chart  
19 and you physically --

20 A I physically --

21 Q -- provided five copies?

22 A -- printed five copies of 12,000 copies, 60,000  
23 pages and I hand -- and took them to FedEx to get the holed or  
24 punched for you guys.

1 Q And the tickets are, as you indicated, specifically  
2 addressed to Patricia as opposed to just a general mailbox,  
3 right?

4 A That's co -- well, some of them. The ones that says  
5 Patricia are addressed to Patricia.

6 Q And you pulled those that say Patricia to show that  
7 she's handled this paperwork over the course of those 18  
8 months?

9 A The only tickets that were pulled from our system --  
10 we have hundreds and thousand of tickets, are tickets that  
11 Patricia either replied to the customer or commented on those  
12 tickets.

13 Q Of which they total about eight or 9,000 in number?

14 A 9,500 and change.

15 MR. JIMMERSON: Move for admission of Exhibit ZZ.

16 THE COURT: Triple N, you mean.

17 MR. JIMMERSON: I'm sorry.

18 THE COURT: Any objection to the admission of  
19 Exhibit Triple N?

20 MS. MENTZEL: I'm going to again object to  
21 authenticity. We have no proof that Patricia was actually the  
22 one who drafted these documents. There's no pro -- he can say  
23 -- he has no proof that Patricia drafted or created these  
24 documents. From what I'm understanding is there's a system in

1 there that people had access to and from computers. So  
2 there's actually no proof that Patricia's the one who drafted  
3 these documents.

4 MR. JIMMERSON: There's no testimony of what Ms.  
5 Mentzel says to be true. My client hasn't testified anything  
6 Ms. Mentzel is using -- a red herring.

7 THE WITNESS: I just wa --

8 MS. MENTZEL: Well, he testified to the fact that  
9 Patricia drafted these documents and it says created by  
10 Patricia, but there's no proof that Patricia actually created  
11 these documents.

12 THE WITNESS: Patricia did not create those  
13 documents. She answered an -- she -- questions from  
14 customers. And she answered questions from other employees.  
15 Now, as far as security's --

16 MR. JIMMERSON: Those answers are -- examples of  
17 those answers are in those documents, right?

18 THE WITNESS: Yes, sir. And I want to clarify that  
19 we are in --

20 MS. McFARLING: Objection. There's no question  
21 pending.

22 THE COURT: Sustained.

23 BY MR. JIMMERSON:

24 Q Would you please clarify for the Court -- could you

1 respond to opposing Counsel's objection?

2       A     Okay. We are in telecom. Telecom is considered  
3 mission critical and considered highly confidential  
4 information. We take security very -- very seriously. Every  
5 user have to log in with own credentials, with own users. The  
6 only way that Patricia's name can be on this ticket is if  
7 somebody had her password. And obviously, if -- if you can  
8 see, is that all these tickets have her name. And people  
9 reply and she replies again and again and again to the same  
10 request.

11               So if somebody answered in her name, when that  
12 request comes in, she will see that somebody answered in her  
13 name. And I never had a complaint from Patricia or any other  
14 employees that people are using somebody else's user name.  
15 And the passwords change on random basis but Patricia would be  
16 in charge of that password. Not even me will have a password  
17 for her ticketing system.

18               MR. JIMMERSON: Thank you, Judge. Anything else?

19               THE COURT: Any ob -- any objection to the admission  
20 Exhibit --

21               MS. MENTZEL: We're going to object. It's my  
22 understanding as the owner of the business, he had the ability  
23 to create passwords. He knew all of the passwords and he  
24 could change all the passwords at any time.

1 THE COURT: As the trier fact, I'm satisfied with  
2 the foundation that's been laid and the authet -- authenticity  
3 of the document. That would go to the weight of the exhibit.  
4 Exhibit Triple N is admitted into the record.

5 (DEFENDANT'S EXHIBIT NNN ADMITTED)  
6 BY MR. JIMMERSON:

7 Q And going through that, is there anything that you  
8 would like to bring out to the Court's attention in this  
9 sample of documents?

10 A I think there's important things to see here.

11 Q If you could point to it again.

12 A Yes, sir. Okay. Some of these samples -- should I  
13 continue? Should I continue, sir?

14 Q Please.

15 A Okay. The reason we chose a sa -- small sample out  
16 of 9500, some of them show that she's done -- she's dealt with  
17 -- with billing, something that, from her discussions before  
18 in motions and in deposition, she refused to agree. So you  
19 can look at Bates Stamp YEG008914. And you can see that she's  
20 doing upgrade and charge the credit card of a customer.  
21 That's ticket number 4617

22 Q Okay.

23 A I think it's also important to -- to see how  
24 Patricia responds directly to the customer and cannot use a



1 template. So some of these tickets that you see here will  
2 show you that Patricia writes at free will. If you look at  
3 YEG010756, for example, Patricia makes a comment that she rec  
4 -- may I quote her?

5 Q Please. You can read from it.

6 A Yes, sir. We received William AR adaptor, but we  
7 did not receive any cancellation request. Please call the  
8 customer and advise. So this is an example of where Patricia  
9 opened a ticket and sent it to support and asked them to  
10 advise the customer that we did not receive cancellation  
11 request. So she communicated with other employees at the  
12 company in English through the ticketing system and also  
13 through chat system.

14 If we look at some of the other example that we  
15 looked at -- here's an example. A ticket -- I'm sorry,  
16 YEG006708. This is another ticket that Patricia handled. And  
17 the customer -- we -- wanted to switch some numbers to us --  
18 port numbers to us. And Patricia replies to him we -- we  
19 moved already two numbers, 301 -- 301-725-5665 and so on. For  
20 -- for you to submit one more number, 401-418-8422, you must  
21 have three lines with us. If you like us to port additional  
22 number, 301 blah, blah, blah, I'm sorry -- to the Joy Phone,  
23 please add additional line to your service and pay the porting  
24 fee for authorize us one time \$20 porting fee and \$1.95

1 virtual number fee. You can authorize the charge or add  
2 additional line by replying to this email or sending email to  
3 billing@joyphone.com. This shows that she can construct  
4 sentences I believe. And that's why I chose this ticket.

5 Q All right. I want you to look at the one that ends  
6 11411. YEG011411. It looks like this.

7 MS. MENTZEL: I'm sorry, YEG what?

8 MR. JIMMERSON: YEG011411. It looks like this.

9 BY MR. JIMMERSON:

10 Q And would you -- to give an example of what this  
11 looks like, a person writes by the name of Roslyn Anderson  
12 (ph). Are you with me?

13 A Yes, sir.

14 Q Okay. And she -- she gives her address and she says  
15 your phone adaptor was not compatible with my DSL modem. I  
16 kept your phone services so that I could have long distance.  
17 That service was provide through my main phone service but it  
18 was \$20 per month and you had to dial an 1-800 number. Am I  
19 reading that correctly?

20 A Yes, sir.

21 Q And then would you now respond -- or advise the  
22 Court what your wife wrote back to Ms. Ro -- Ms. Anderson.

23 A Says hello, Roslyn, we cancelled your account at  
24 your -- as your requested -- sorry, as you requested. Please

1 return the adaptor with all the original parts so we can  
2 process your account. Include your final payment of \$1.05 in  
3 the form of a check, money order, or cashier check. And then  
4 she gives an RMA number, 16472 -- 21. And then she gives the  
5 address. And then she says thank you for trying our service,  
6 Joy Phone billing.

7 Q Now, setting that aside, you lived with the woman,  
8 you dated her, you married her. On the date of signing the  
9 prenuptial agreement, what was her level of fluency in  
10 English?

11 A It was just like any -- any other employee at the  
12 company on a business side or on a personal side.

13 Q Well, I mean, I -- I have taken her deposition.

14 A Right.

15 Q And I would say that I wouldn't think she's totally  
16 fluent but I think she knows everything --

17 A Well she have an accent. She have an accent and she  
18 always did. And it's something that she probably will always  
19 have. When she's nervous, when you were giving her  
20 deposition, her English was worse because she was nervous but  
21 when she's not nervous, she's very proficient in -- in  
22 language. Actually to my knowledge, she speaks seven  
23 different languages. So her English when I met her was not as  
24 good as when we signed the agreement, but by working at the

1 company on daily basis, she communicated with all clients,  
2 employees, myself, and my parents only in English. So her  
3 proficiency in English was very good by the time she signed  
4 the agreement.

5 (COUNSEL CONFER BRIEFLY)

6 MR. JIMMERSON: Your Honor, I'd like to move for the  
7 admission of Exhibits C and D in mass as opposed to spending  
8 the rest of my three hours going over -- I -- I --

9 THE COURT: Any objection to the admissions of  
10 Exhibits C and D?

11 MS. MENTZEL: Going to object to the authenticity of  
12 them. Even when you look at them, I believe there's one set  
13 of them. It's either C or D that doesn't have this created by  
14 line or anything to that effect either. Then it simply --  
15 it'll be from Joy Phone. And it's Billing1, so I don't  
16 believe there's any indication that it's actually written by  
17 our client.

18 MR. JIMMERSON: Exhibit C, Your Honor -- I can meet  
19 this I think fairly. Exhibit C are the emails to and from  
20 Palicia -- Patricia Egosi created while she worked for Joy  
21 Phone in 2007, 2008. And D is the tickets that you have here  
22 that actually have Patricia Egosi's name created -- where she  
23 creates her responses while worked for Joy Phone for the same  
24 time period. If you want, I can take it one by one.

1 THE COURT: Well no, listen, Exhibit -- is Exhibit  
2 Triple N an extraction from those --  
3 MS. BREWER: Yes.  
4 MR. JIMMERSON: Yes.  
5 THE COURT: So it's --  
6 MR. JIMMERSON: A sample.  
7 THE COURT: -- more or less used as a sa -- sample  
8 of what is in --  
9 MR. JIMMERSON: Right.  
10 THE COURT: -- these two exhibits.  
11 MR. JIMMERSON: Yes. That's correct.  
12 THE COURT: I'm -- I'm hearing that there may be  
13 some entries that aren't necessarily directed to or from the  
14 Plaintiff.  
15 MR. JIMMERSON: That's not true.  
16 THE COURT: Okay.  
17 MS. MENTZEL: And I'm further going to object to the  
18 timing of the disclosures of these exhibits. They were  
19 disclosed June 2nd, 2017. I believe this is again giving six  
20 business days to go over these documents. I believe Defendant  
21 has testified from the beginning that our client could speak  
22 English. These are his documents ready to -- avail --  
23 available to him. He would have been able to disclose these  
24 any time versus six business days before trial when we're

1 looking at -- I don't know, how many thousands of documents?

2 MR. JIMMERSON: My response is they have their  
3 fountain of knowledge right there to know that she is the  
4 author of every one. It's a phony objection. He knows  
5 they're true. They're kept near him in the course of  
6 business. It was her job.

7 THE COURT: Okay. So Exhibits C and D are -- are  
8 books 1 through 18.

9 MR. JIMMERSON: That's correct.

10 THE COURT: So it's those binders.

11 MR. JIMMERSON: That's right.

12 THE COURT: Here's what I'm going to do. And  
13 understanding, coming back tomorrow, I'm going to defer ruling  
14 on that. Give the -- the Plaintiff the opportunity to review  
15 those in greater detail and determine whether or not there are  
16 specific pages that should be excluded from admission.

17 BY MR. JIMMERSON:

18 Q All right now. June of 2007 -- 2008, excuse me. I  
19 reference (indiscernible) received an email on March 24, 2008  
20 to an -- to a rabbi.

21 A Yes, sir. Yes, sir.

22 Q Please tell the Court why that is important as it  
23 relates to this issue of the prenuptial agreement?

24 A The -- the email that you're referring to a email

1 to Rabbi Heller (ph), he's -- he's the rabbi of Na Tura (ph),  
2 which a synagogue in Atlanta, Georgia. I contacted the rabbi  
3 on May -- I mean, I'm sorry, March 24th of -- of 2008. And I  
4 informed him that me and my girlfriend of two years, almost  
5 two years I said to him, are planning to get married and my  
6 girlfriend wants to be -- I said be part of our tribe. That's  
7 what we refer to in my religion. And I wanted to -- we wanted  
8 to start the process of conversion.

9 Q All right. And was it at that time that you had  
10 decided or you -- you had started talking with Patricia about  
11 marriage?

12 A We discussed it before that obviously but this is  
13 when we start taking more serious steps toward eventually  
14 getting married.

15 Q When did you first raise the issue? Or when was the  
16 issue -- when was the issue of -- of signing a prenuptial  
17 first raised?

18 A Patric -- when Patricia came to me and -- and  
19 discussed getting married, she understood that credibility was  
20 not -- was, you know -- she didn't have much credibility even  
21 though we were very much in love and I -- I was in love with  
22 her. The way that we met and the money that she stole and the  
23 stories that kept on changing. The sister that became a  
24 girlfriend for 12 years, the -- the money that I was sending

1 to -- for her sister to keep her son from the street is what  
2 she told me at the time. Found out that it was all falsified  
3 invoices but I always --

4 Q And the sister was in fact her live in lover?

5 A And it was her lover for 12 years. I found these  
6 things as time went --

7 MS. McFARLING: Objection. Goes beyond the -- the  
8 question asked. It's non-responsive.

9 THE WITNESS: Okay.

10 BY MR. JIMMERSON:

11 Q Direct response is how did it come about.

12 A Patricia, when she came up with idea of marriage  
13 said that she will sign a prenuptial agreement with me in  
14 order to I believe me -- make me more comfortable with getting  
15 married. And part of the discussion -- I'm sorry to interrupt  
16 but -- but the -- the way that we discuss marriage, even  
17 though we did love each other, was Patricia way of us stop  
18 traveling to renew her travel visa. And that's why we married  
19 in Fulton County Courthouse. There was no family, there was  
20 no friends, it was just to start the paperwork as part of it.  
21 And she wanted to prove that she's marrying me for the right  
22 reason. And she proposed that we will sign a prenuptial  
23 agreement.

24 Q So in the typical case, I can tell you but my



1 experience is the what I call the empowered spouse or the  
2 money spouse, the more wealthy spouse is asking for the prenup  
3 but that wasn't the case here?

4 A It wasn't the case. Patricia assets I would say  
5 were greater or the same as -- as my assets were.

6 Q In 2008?

7 A That is correct.

8 Q And what did you know about her assets that were  
9 equal or greater than yours?

10 A When or where?

11 Q What did you know?

12 A What did I know? I knew -- I knew she was in -- has  
13 investments in Brazil. I didn't know of any -- I didn't know  
14 that she had assets in America at the time. I learned that  
15 later in this trial that she actually did have assets in  
16 United States as well.

17 Q And she had gold?

18 A She had gold, she had a house, she had bank  
19 accounts, she had a book that she published with her  
20 girlfriend. She had different -- different investments.

21 Q Now, did you discuss then -- did you participate  
22 with her in selecting a prenup?

23 A Yes, sir. We both reviewed several different  
24 prenups. Some of them were free like you can download. Some

1 of them was for money. And we finally decided on the -- the  
2 prenup at LawDepot.

3 Q And did you download the -- the document?

4 A After we answered some questions on the website, we  
5 had to buy a licence to download. We -- we purchased a one  
6 year licence to download the agreement. And we downloaded on  
7 -- by that time, it was June 25th, 2008.

8 Q And by looking at the ticket, it was late at night.  
9 It was the -- the night of the 24th had crossed over to the  
10 next day, the 25th?

11 A That is correct.

12 Q I'll show you what's been marked as Exhibit ZZ. I  
13 want you identify this document that's been admitted into  
14 evidence.

15 A Yes, sir. This document is the original paid  
16 licence of this prenuptial agreement. It's -- anytime you  
17 download from LawDepot -- should I continue?

18 Q Yes.

19 A It's time -- it's date stamped. So the bottom of  
20 this document have a date stamp June 25th, 2008.

21 Q Now, I'd liked to show you what's been marked as  
22 proposed Exhibit -- excuse me. Now, what question did you  
23 answer that is specific to that document that you have in your  
24 hand, the June 25th first draft of the prenuptial agreement?

1 2008.

2 A Well, the first thing is names. Second is  
3 residence, state -- city and state. Then they have a section  
4 on children that's -- and Nedson, her son is listed here under  
5 children. So we had to fill that out.

6 Q And how do you know that that is a true and correct  
7 copy of the original first draft of June 25 of 2008?

8 A Well, once I heard the deposition of -- of my wife  
9 on -- on May 30th and I found out that a law -- I mean Batya  
10 reviewed this document with her, I -- I was surprised. And I  
11 went back to LawDepot and I wanted to see if there was -- if  
12 they kept track of any -- any of the documents that we might  
13 -- must have if, you know -- if Batya reviewed the final  
14 document. So when I went to LawDepot, I -- I found out -- I  
15 found the user name that I used was my Gmail account. And  
16 when I was in Kris -- Kristine Brewer's office, we together  
17 logged in. And we logged in to LawDepot, we saw the email,  
18 and then I went to Gmail. And -- and we did together search  
19 for -- for that LawDepot. And then we found an email for my  
20 Gmail that I didn't know about from July 18th to Batya  
21 Goodman. Email at work --

22 Q From 2008?

23 A Yes, sir. And that email had an attachment to that  
24 email that called prenup. And that attachment is the document

1 that we see here. I -- when I was doing my deposition with  
2 McFarling, I stated that we had a draft months before we  
3 signed the final version. Of course in the motion that  
4 Patricia filed, she said the first time she saw that document  
5 was on August 13. I knew it was wrong, but I couldn't prove  
6 it.

7 MS. McFARLING: Objection. Non-responsive to  
8 question asked.

9 THE COURT: It's becoming a narrative. So  
10 sustained.

11 THE WITNESS: Okay.

12 MR. JIMMERSON: So I first for the admission of  
13 Exhibit ZZ.

14 MS. MENTZEL: I'm going to object to the  
15 authenticity and the timeliness of that document. We received  
16 that document three business days ago. We've just heard  
17 testimony that he knew when Patricia first filed her motion  
18 that there were some other drafts of this document. And we're  
19 just receiving now -- three business days ago. We -- we don't  
20 have any proof that that's where this document is actually  
21 from.

22 MR. JIMMERSON: I think Ms. Mentzel has gone away  
23 from the case because we never were advised -- you were never  
24 advised that there was an early draft of the prenuptial. You

1 were told just the opposite. You were told that the only  
2 exact document was downloaded on August 13 and signed within  
3 an hour or two of it being downloaded at the mortgage company.  
4 That's what you were told.

5 MS. MENTZEL: The client just testified two seconds  
6 ago --

7 MR. JIMMERSON: You're right.

8 MS. MENTZEL: -- that he knew -- he knew of this  
9 document previous before he testified to it previously before  
10 he testified at his own deposition. And he's --

11 MR. JIMMERSON: I didn't hear that testimony.

12 MS. MENTZEL: That's what I just heard.

13 MR. JIMMERSON: I didn't hear it. I did not hear  
14 it. I did not hear it.

15 MS. MENTZEL: And that he knew about it because of  
16 the motion as well that he knew because in our motion, it said  
17 that he had not previously received that. He literally said I  
18 read her motion and she said she had not previously looked at  
19 this document and I know I had another version of this  
20 document.

21 MR. JIMMERSON: Right.

22 THE COURT: Right.

23 MR. JIMMERSON: Exactly right.

24 MS. MENTZEL: So three business days ago.

1 BY MR. JIMMERSON:

2 Q And how did you know that? How did you know that?

3 A I didn't have this document. I did know that this  
4 -- that we can have this document. I -- what I said was is  
5 that we reviewed a draft of this document months before we  
6 signed the prenup. If I knew that we --

7 Q And that was something your client -- your -- your  
8 wife had denied, right?

9 A Something that my wife denied.

10 Q Right.

11 A And I -- it was my word against hers until we found  
12 this document in my Gmail, me and Mc -- I mean Kristine  
13 Brewer's.

14 Q Now did you send the document, the Exhibit ZZ, to  
15 Batya Goodman?

16 A No, I have not.

17 Q But we know that Batya Goodman had the document.

18 A On July 18th of 2008.

19 Q And you have the email that sent it to her?

20 A It's still in the Gmail account.

21 Q And your wife knew your -- of course your -- your  
22 email address and your email password?

23 A We had one computer at the time and she would -- had  
24 full access at the time to my computer.

1 Q All right. And did you know that she had met with  
2 Batya Goodman to discuss the document, Exhibit ZZ?

3 A No, I did not.

4 Q And were you surprised to learn about that during my  
5 examination of your wife on May 30th?

6 A I was surprised because in previous motions, my wife  
7 said that she didn't have counsel and she didn't have time to  
8 receive counsel.

9 Q But you had a recollection that there had been a  
10 document earlier time?

11 A I -- I recollected that we looked at drafts.

12 Q And you didn't have a copy of any of that?

13 A I didn't have a copy. The only copy I had is the  
14 one supplied on the one with the signature.

15 Q And now tell me what occurred on the evening of July  
16 -- June 24th?

17 MR. JIMMERSON: And we'll move for -- I -- I want to  
18 lay some more foundation.

19 Q What happened on the evening of June 24, 2000 --  
20 '08?

21 A We went to LawDepot.com. We answered some  
22 questions. They go through some steps where you fill out 15  
23 questions about names and states and -- we presented the  
24 questions into evidence. And then once you fill out all the

1 questions, they -- you get to a page where they ask you to  
2 either use an existing licence or buy a new licence. And we  
3 paid for new licence. And we paid for licence that is good  
4 for one year. We produced the receipt of that licence. And  
5 that receipt date again is 6/25 of '08.

6 (COUNSEL CONFER BRIEFLY)

7 BY MR. JIMMERSON:

8 Q All right. And -- and who -- where was your wife  
9 when you downloaded the LawDepot first -- first draft, Exhibit  
10 ZZ Proposed?

11 A My wife was typing while I was next to her on a  
12 computer.

13 Q So you heard her testimony that she did not -- was  
14 not present when you downloaded?

15 A That is correct.

16 Q Is she being truthful?

17 A No, she's not.

18 Q Okay. And tell me what took place. What  
19 conversation did you have between her and you where you then  
20 caused this to -- to pay your money, you fill in the blanks,  
21 answered the questions, and then you downloaded the document?

22 A Once we discussed marriage and she offered to --  
23 well, she's proposed to sign a prenuptial agreement. We had  
24 to do the research and find one. I myself did not have legal



1 counsel to do this for -- for us. So I seeked to go online  
2 and find a -- a template with my wife that fits both me and my  
3 wife's --

4 Q Show the Exhibit LLL proposed. Can you identify is  
5 this a certification of custodian of records at Law Depot?  
6 And I believe attached to it is the receipt to which you  
7 provided (indiscernible)?

8 A That is correct.

9 MR. JIMMERSON: Move for the admission of Exhibit  
10 LLL. Dated at June 25, 2008.

11 THE COURT: Any objection to the admission of  
12 Exhibit LLL?

13 MS. MENTZEL: Hold on, Your Honor. I'm trying to  
14 find it.

15 THE CLERK: It -- it's in book 20, Counsel.

16 MS. McFARLING: No, the little one has triple  
17 digits.

18 MS. MENTZEL: The little one has --

19 THE CLERK: It's LLL.

20 THE COURT: This is -- it is --

21 MS. McFARLING: LLL. Okay.

22 MS. MENTZEL: Okay.

23 THE COURT: Yeah, Triple L.

24 MS. McFARLING: I was looking at LL.

1 MS. MENTZEL: I'm looking at LLL, which is the  
2 proposed -- or which is the 8/13/2008 prenuptial agreement.

3 THE WITNESS: YEG013143.

4 THE CLERK: I don't have it Bates stamped.

5 THE WITNESS: Oh.

6 MS. BREWER: I apologize, that's my error. It's  
7 Triple J.

8 THE COURT: Triple J.

9 MS. BREWER: We won't forget that, will we?

10 THE WITNESS: That's a good name.

11 (COUNSEL CONFER BRIEFLY)

12 THE CLERK: So we're not trying to offer LLL?

13 MS. BREWER: It's Triple J.

14 BY MR. JIMMERSON:

15 Q And in terms of answering questions, did you respond  
16 about Nedson?

17 A Patricia respond about Nedson. At the time, Nedson  
18 was in Brazil.

19 Q Did you know Nedson's birthday?

20 A No, sir.

21 Q Was it required to know Nedson's birthday in order  
22 to fill that in?

23 A Yes, sir. They ask about children.

24 Q And in the final document --

1 MS. MENTZEL: I -- I apologize. Is there still  
2 waiting on my objection to the Triple J or --

3 THE CLERK: Well, my Triple J is a certificate of  
4 custodian records.

5 MR. JIMMERSON: Right.

6 THE COURT: Yeah.

7 MR. JIMMERSON: Attached to that is the receipt.

8 THE COURT: Right.

9 MS. BREWER: The receipt from LawDepot.

10 THE CLERK: Okay. I'm sorry, I thought we were back  
11 on a prenu. I apologize, sorry.

12 MS. BREWER: That is correct.

13 MS. MENTZEL: And -- and I -- I'd object as to  
14 authentic -- authentication, hearsay. We have documents that  
15 are clearly not kept in normal business course. It's actually  
16 a letter that seems to be written for the purposes of this  
17 litigation.

18 MR. JIMMERSON: I'm only offering the receipt,  
19 Counsel. I'm not offering the letter. The letter will be  
20 received.

21 MS. MENTZEL: Okay.

22 THE COURT: He got the receipt from his printer on  
23 June 25th, 2008.

24 MS. MENTZEL: I'm sorry, can you tell me what Bates

1 stamp that is?

2 THE COURT: So is that the append -- is that's  
3 what's behind the -- the appendix?

4 MS. BREWER: That is between --

5 THE COURT: So just the receipt, yeah.

6 MS. BREWER: It's 13143.

7 MR. JIMMERSON: Do you want the receipt?

8 MS. MENTZEL: It'S 13143?

9 MS. BREWER: It's after that.

10 MS. MENTZEL: I have a letter.

11 MR. JIMMERSON: Kristine, help her, please.

12 MS. MENTZEL: I have appendix A.

13 THE COURT: That's it.

14 MS. BREWER: That's it.

15 MS. MENTZEL: A \$45 receipt?

16 MR. JIMMERSON: That's right.

17 MS. BREWER: Here. And the date. Right there, June  
18 25th, 2008 at 2:11 a.m. Eastern. Right there.

19 (COUNSEL CONFER BRIEFLY)

20 THE COURT: Any objection?

21 MS. MENTZEL: No objection, Your Honor.

22 THE COURT: That -- so that one page will be marked  
23 as Exhibit J.

24 MR. JIMMERSON: Thank you.

1 THE COURT: Just that page. So the rest --

2 THE CLERK: You mean JJJ?

3 THE COURT: J -- Triple J. Yeah, sorry.

4 (DEFENDANT'S EXHIBIT JJJ ADMITTED)

5 MR. JIMMERSON: Just the receipt. Just the one  
6 page.

7 (COURT AND CLERK CONFER BRIEFLY)

8 BY MR. JIMMERSON:

9 Q And then what happened to Exhibit ZZ?

10 A It's been in Patricia's hands ever since.

11 Q And you learned through the deposition a few weeks  
12 ago that she had and showed it to Ms. Goodman?

13 A That is correct.

14 Q And who is Ms. Goodman?

15 A Ms. Goodman is -- her full name is Batya Goodman.  
16 She's a friend and a lawyer in Geor -- I mean in Florida, I'm  
17 sorry.

18 Q And you heard the testimony from your wife that she  
19 was some sort of friend of yours. Would you please explain  
20 the circumstances or what the relationship was, if any?

21 A Her boyfriend, or now husband, was my friend.

22 Q His name is Alex.

23 A Alex, that is correct.

24 Q And what was the relationship with the girlfriend at

1 the time?

2 A The girlfriend never liked me.

3 Q And did you ever -- now that you know she's a  
4 lawyer, did you ever seek out her advice for anything at any  
5 time in the past?

6 A No, and Batya would never do something for me  
7 anyways.

8 Q And you were unaware that she had met with your  
9 wife?

10 A That is correct.

11 (COUNSEL CONFER BRIEFLY)

12 MR. JIMMERSON: Your Honor, under NRS 47, I would  
13 also ask the Court to take judicial notice as a matter of fact  
14 that Batya Goodman is a member of this day to the firm of  
15 Louis Frisba (ph) in Fort Lauderdale, Florida and is also  
16 barred by her resume as a New York lawyer.

17 THE COURT: Okay.

18 MR. JIMMERSON: And I have the documents here,  
19 Exhibit JJ, but as I understand, it's a matter of judicial  
20 notice as opposed to I guess --

21 THE COURT: Okay.

22 MR. JIMMERSON: -- (indiscernible).

23 THE COURT: And does -- does that document state her  
24 date of admission?

1 MR. JIMMERSON: Yes, Your Honor, 2003 in New York.  
2 And 2006 or 7 in Florida.

3 THE COURT: Florida. Okay. All right. So noted.

4 MR. JIMMERSON: Now, and Counsel, I said Exhibit JJ.  
5 All right.

6 BY MR. JIMMERSON:

7 Q Now, I want to show you that and compare it to  
8 Exhibit -- the -- the prenuptial agreement.

9 MR. JIMMERSON: Which is what, Exhibit --

10 MS. BREWER: Exhibit --

11 MR. JIMMERSON: The -- the permanent one.

12 MS. BREWER: Yes, it's -- that one is LL.

13 MR. JIMMERSON: And --

14 MS. BREWER: Triple L.

15 MR. JIMMERSON: Three L. I'm showing what's marked  
16 as Exhibit LLL. It's -- I -- I don't know if Judge can  
17 confirm. I want to make sure it's in evidence. So I move to  
18 admit Exhibit LLL into evidence, which is the signed actual  
19 prenup.

20 THE COURT: Any objection? I don't know that it's -  
21 - it's been offered. So any objection to Triple L?

22 MS. MENTZEL: As long as that's what it is, no  
23 objection.

24 THE COURT: So Triple -- Exhibit Triple L is

1 admitted into the record.

2 (DEFENDANT'S EXHIBIT LLL ADMITTED)

3 MS. MENTZEL: The skinny binder.

4 BY MR. JIMMERSON:

5 Q Now do you have both ZZ and Triple L?

6 A Yes, sir.

7 Q Now, let's just finish it up orally. I know there's  
8 two -- two questions and answers then I'll ask you questions  
9 about the two. Now it's August 13. So you had almost four  
10 weeks between July 20 -- June 25, when you downloaded Exhibit  
11 ZZ, July 18th, when she has the meeting with Ms. Goodman  
12 (indiscernible). And then another 26 day pass between July 18  
13 and August 13 of 2008. Are you with me?

14 A Yes, sir.

15 Q Tell us the events of August 13, 2008 as it relates  
16 to answering more questions, downloading the document, and  
17 signing the document, the document that's now in evidence and  
18 the document you're seeking to enforce.

19 A Once both Patricia and I agreed to the terms of the  
20 prenup, we decided to move forward with the prenup. On August  
21 13th, in the morning, we came to my office, which was located  
22 at the time in Fort Lauderdale. We -- we filled out the rest  
23 of the questions in this questionnaire. Once we filled out  
24 the -- the questions, a process that took us maybe an hour or



1 two, we then proceeded to the third floor to sign the  
2 agreement. Oh, I'm sorry.

3 So once we decided to sign the agree -- this  
4 particular agreement, we went to my office, we filled out all  
5 the questions of this agreement, we reviewed it once more  
6 again. And the way that we review it -- we went section by  
7 section and you can see that Nedson's name was dropped off on  
8 the children. And then the list of assets were added on a  
9 schedule AI. And then once we -- we fill that out, we printed  
10 it. And then we took it to the third floor, which was a  
11 mortgage company, and we got it signed and notarized.

12 Q And the people you had witnessed by the notary are  
13 all strangers to you?

14 A Correct.

15 Q There's no affiliation between them and you?

16 A I -- I didn't even see them in the hallways.

17 Q And no affiliation between them and your wife?

18 A To my knowledge.

19 Q And now I want to -- and then having signed that,  
20 they completed that task, correct?

21 A Yes, sir.

22 Q And there's still another six weeks that pass  
23 between August 13 of 2008 and you're getting married to  
24 Patricia on September 26th of 2008?

1           A     That is correct.

2           Q     And in the interim, you heard her say she didn't  
3 know when you moved and she said you moved before you signed  
4 the agreement.

5           A     I think she's -- go ahead.

6           Q     Where were you physically located when you signed  
7 the prenuptial agreement, LLL?

8           A     We were physically located in Fort Lauderdale, but  
9 the move did take some time. So just to -- to what she's  
10 referring to, the final move was obviously before we -- we got  
11 married, but there was a few months that we actually moved. I  
12 always had a condo -- always, meaning since 2003, in Atlanta.  
13 So that property was -- was owned by me for a long time.

14          Q     That's the Peachtree property?

15          A     Peach tree Road. 2881 Peachtree Road.

16          Q     So it took some time to move but the --

17          A     Yes, sir.

18          Q     -- actual physical move leaving Ft. Lauderdale was  
19 in September 2008?

20          A     Correct, the -- the September 26 is -- is a special  
21 day because of course that's the day that we got married but  
22 it's also special day because that's when we brought our  
23 manager -- office manager that same day. Met us right after  
24 we got married after the wedding in downtown Atlanta. We --

1 we went out to lunch and we -- we showed him our clientele but  
2 his purpose of coming on that date was not to be in our  
3 wedding was to start training the new office -- the new office  
4 staff that we had in Atlanta, Georgia.

5 Q All right. And what was that person's name?

6 A Adam Pichardo (ph).

7 Q All right. Showing Exhibit YY proposed, what --  
8 what is these questions and answers, please?

9 A Okay. These questions and answers are the questions  
10 that I -- are asked at LawDepot when -- when you fill out the  
11 prenuptial agreement.

12 Q And do those questions specifically refer to Exhibit  
13 LLL in evidence?

14 A Repeat the question, please.

15 Q Is Exhibit YY --

16 A Oh, YY.

17 Q You are answering the questions online --

18 A Yes sir.

19 Q -- relate specifically to Exhibit LLL, the  
20 prenuptial agreement signed on August 13 of 2008?

21 A Yes, sir. This -- this relates to the August 13,  
22 2008.

23 MR. JIMMERSON: Move for the admission of Exhibit  
24 YY.

1 THE COURT: Any objection to the admission of  
2 Exhibit YY?

3 MS. MENTZEL: I'm going to object to the admission  
4 of Exhibit YY as to authenticity. It has a date of 6/3/17 on  
5 it. I'm not seeing how it would be -- and it's also an  
6 incomplete document. We have Pa -- starts on page 2 of 3.  
7 And it was given to us three business days ago.

8 MR. JIMMERSON: Judge, we learned about this in the  
9 last two weeks. This -- I could -- I could have him produce  
10 it download it off his LawDepot account right now on the  
11 screen. I'm prepared to do it because I brought a laptop and  
12 I brought a wire and I brought the thumbnail. We can download  
13 it right now, but this is a -- which you can find right now  
14 today. They could look at it if they ever wanted to look that  
15 these were the answers that both Mrs. Egosi and Mr. Egosi  
16 answered to produce Exhibit LL, the final document.

17 THE WITNESS: If you compare -- I'm sorry to  
18 interrupt.

19 THE COURT: Well there's no question.

20 MR. JIMMERSON: Have some foundation. Do you have  
21 some further foundation?

22 MS. MENTZEL: Again, it's an incomplete document,  
23 there's two of three --

24 THE COURT: Well, Mr. Jimmerson's asked him --

1 MS. MENTZEL: And --

2 THE COURT: -- a -- a follow up question. So I'm  
3 not admitting it yet pending additional questions.

4 BY MR. JIMMERSON:

5 Q Is there anything incomplete about this document?

6 A I don't know what you mean.

7 Q You heard opposing Counsel claim this is admi -- in  
8 -- incomplete even though she has no basis for it. She  
9 doesn't tell us why. Is this what you downloaded --

10 A This is what I downloaded in the --

11 Q -- in Kristine Brewer's office?

12 A -- presence of Kristine Brewer. And --

13 Q Does it reflect that there are no minor children?

14 A Yes, sir. If you compare the answers that we  
15 answered here -- this -- this is only to demonstrate the  
16 answers that they ask the questions that the website is asking  
17 you. These questions were stored on our servers. Every time  
18 you're going to pull up this prenup, it will bring the new  
19 date. And that's why you're referring to the date of -- in  
20 2017.

21 But if you compare the answers to the questions on  
22 this particular document and you compare that to the -- our  
23 agreement on August 13th, you will see that those answers are  
24 match one to one. And these are the only questions that they

1 ask you. You cannot change anything else other than the  
2 question that are asked.

3 Q All right. And Exhibit ZZ, would you compare now  
4 ZZ, the first draft of the prenuptial, June 24 and 25, 2008,  
5 with August 13, 2008, the final prenuptial that was signed on  
6 that date?

7 A Yes, sir. As stated before, the -- Nedson --  
8 Patricia's son, Nedson Acosta is on the June 25th and he's not  
9 on the August 13th. We can also see that the list of assets  
10 are not on the June 25th and they are on the August 13th.

11 Q And you know from your own personal knowledge that  
12 you can identify that the June 25, 2008 first draft prenuptial  
13 is authentic, true, and correct?

14 A That is correct.

15 MR. JIMMERSON: Your Honor, I move for the admission  
16 of Exhibit ZZ.

17 THE COURT: Any objection to the admission of  
18 Exhibit ZZ?

19 MS. MENTZEL: I'm going to again object to the  
20 authenticity and I'm going to object to the untimeliness of  
21 the document, the authenticity. We have no proof that this  
22 came from, where it's alleged to be came from. It could be a  
23 document that was completed after the fact. As to the  
24 timeliness of the document, we received this document three

1 business days ago when Defendant had apparently this document  
2 in his possession the entire time.

3 MR. JIMMERSON: I applaud opposing Counsel's  
4 remarks, Your Honor, but you were told under oath that there  
5 was never a draft. You were told there's only one document  
6 and it's dated August 13th and that was the only document that  
7 existed. And now you've heard both parties testify that there  
8 was a draft before August 13. And a document was shown to her  
9 lawyer on July 18th and that's the document.

10 THE COURT: The objection's noted but overruled.  
11 Exhibit ZZ is admitted into the record.

12 (DEFENDANT'S EXHIBIT ZZ ADMITTED)

13 BY MR. JIMMERSON:

14 Q And if you compare it -- if you already haven't, I'm  
15 going to ask you to do. Word for word, with the exception of  
16 the child issue and the list of assets A1 issue, are both  
17 forms, ZZ and LL, the same?

18 A Yes, sir. We -- me and Ms. Brewers (sic) compared  
19 it together when we found this document on my Gmail.

20 (COUNSEL CONFER BRIEFLY)

21 BY MR. JIMMERSON:

22 Q I'd like to -- I'd like to show you Exhibit AAA,  
23 three A. Can you identify this document?

24 A Yes, sir.

1 Q And what is Exhibit AAA?

2 A Exhibit AAA show my Gmail account. It shows an  
3 email that is dated Friday, July 18th, 2008, 7:15 p.m.

4 Q Is that the email that your wife caused to be sent  
5 to the lawyer?

6 A That is correct.

7 MR. JIMMERSON: Move for the admission of Exhibit  
8 AAA.

9 MS. MENTZEL: No objection, Your Honor.

10 THE COURT: Exhibit AAA is admitted.

11 (DEFENDANT'S EXHIBIT AAA ADMITTED)

12 THE WITNESS: Oh, it also have the receipt on top.

13 BY MR. JIMMERSON:

14 Q And you say it has a receipt, you mean the one we've  
15 already identified?

16 A Yes, sir.

17 Q A duplicate of that one page --

18 A Well, it just have different screenshots, so there's  
19 two emails here.

20 Q Okay. Thank you. May I have Exhibit ZZ, the June  
21 25 document?

22 A Yes, sir. This one?

23 Q All right. Thank you.

24 MR. JIMMERSON: Can I have this marked and admitted



1 as the next -- all right. Thank you.

2 (COURT AND CLERK CONFER BRIEFLY)

3 BY MR. JIMMERSON:

4 Q Tell me about the conversations that you had between  
5 March of 2008 and August 13 of 2008 with regard to the  
6 prenuptial agreement? And by that I'm really asking focus  
7 upon what words you said to Patricia or she said to you  
8 relative to protecting your assets or no alimony or the other  
9 provisions that we see in both document ZZ and LLL.

10 A It was understood by both parties that --

11 Q I didn't ask what was understood.

12 A Okay.

13 Q Answer the question. What words were exchanged, to  
14 the best of your recall, I know it's been a while, between the  
15 two of you?

16 A We discuss the reason for the prenup and what the  
17 prenup meant. Specifically, that if each party walks away  
18 from the marriage, no assets at the time or occurred will be  
19 divided between the parties.

20 Q All right. And from your conversations with  
21 Patricia, did she -- did she give you words or say words to  
22 you that she understood what was being contained in that  
23 document?

24 A Yes, sir.

1 Q Now, we have a dispute, you know, from the  
2 deposition. She said she never read the document until the  
3 last two weeks. Did she read the document on the evening of  
4 June 24 and 25, 2008?

5 A She read it with me. Yes, sir.

6 Q What -- when you say she read it with me, what  
7 exactly did she read?

8 A We initially looked at the document on this website,  
9 LawDepot.com.

10 Q It's on the screen.

11 A Yes, sir. And in order -- and then in order to --  
12 to print it, you have to pay the licence.

13 Q So you paid the \$45.

14 A Correct. Yes, sir.

15 Q And that gave you access for a year.

16 A That gave me access to -- to print it for a year.

17 Q Okay. And then you downloaded it on that day?

18 A Correct.

19 Q At 12:11 a.m. on June 25, 2008?

20 A 12:11 is when -- when the licence was purchased and  
21 downloaded. Yes, sir.

22 Q Okay. So that's why the midnight hour had passed,  
23 correct?

24 A Correct.

1           Q     So my next question is then did you read the  
2 document after it's now out of your printer?

3           A     Yes, sir.

4           Q     Who read it? And specifically as it relates to did  
5 she -- did she read it then after it was now in your physical  
6 hands?

7           A     I read it out loud and we discussed the agreement.

8           Q     What did you say out loud and what did you discuss?

9           A     The -- the different provisions of the agreement.  
10 Starting from, you know, this prenuptial agreement made  
11 between Yoav Egosi and Patricia Elise Gomez Acosta.

12          Q     And what was her response relative to her  
13 willingness to sign the document?

14          A     She said that she wants me to feel comfortable about  
15 marrying me and that she married me for the right reasons and  
16 she didn't care about any of my assets and she didn't care  
17 about money at the time and that's what she told me.

18          Q     And she did want to remain in the United States,  
19 right?

20          A     Well, one of the consideration was to save us money  
21 from traveling was to sign -- to get married so we can start  
22 the -- the process. If we didn't have that, I probably would  
23 have taken more time before we got married.

24                So part of the reason we rushed into getting married

1 was trustor save the traveling cost for her.

2 Q Okay. But it's really not rushed. You dated for a  
3 year and a half?

4 A Well, I -- I dated many women. Normally I date  
5 women for more than two years before marriage.

6 Q Okay. And you had 60 days between June 25 and  
7 August 13 on mostly two days?

8 A It -- between the time we initially to the time we  
9 -- we signed it?

10 Q That's right.

11 A Yes, sir.

12 Q And did the -- did you understand the terms of the  
13 agreement?

14 A I -- I understood the terms. Yes, sir. Some of the  
15 terms I understand more of now.

16 Q Okay. One word you told me had trouble  
17 understanding was the word unconscionable.

18 A Unconscionable, yeah.

19 Q It's just not --

20 A I still --

21 Q -- conscionable.

22 A Yes, sir.

23 Q And what did I tell you is the answer?

24 A It's fair.

1 Q Okay. All right. But with the exception of maybe a  
2 word or two like that, you understood the agreement.

3 A We understood the -- the meaning of the agreement.  
4 Yes, sir.

5 Q Why did you select that agreement versus the other  
6 websites that you looked at, even some that were free where  
7 you were willing to pay \$45 for this one?

8 A The -- they have a -- like an A plus rating with the  
9 BBB. They have a \$10,000 guarantee. They have a lot of good  
10 reviews and they looked like a reputable company.

11 Q Okay. And all the allegations -- or allegations --  
12 are the words of the document of the prenuptial agreement  
13 correct?

14 A Can you rephrase?

15 Q Well, okay, I'll be happy to. When it says that you  
16 and Patricia are signing the document voluntarily, was that  
17 true?

18 A Yes, sir.

19 Q Was there any duress imposed by you upon Patricia  
20 whatsoever?

21 A No, sir.

22 Q When it says that you both signed the documents  
23 knowingly, in other words, you know what you were signing, was  
24 that also true?

1           A     Yes, sir.

2           Q     Was there anything in this document that you felt

3 was in any way incorrect?

4           A     No, sir.

5           Q     Okay. And you listed all of your assets and your

6 liabilities.

7           A     That is correct.

8           Q     Okay. Now Patricia didn't list anything in the

9 document, did she?

10          A     That is correct.

11          Q     Okay. But she had assets.

12          A     Correct.

13          Q     She had a home.

14          A     In Brazil, yes.

15          Q     She had investments.

16          A     Correct, in Brazil.

17          Q     She had bank accounts.

18          A     Correct, in Brazil. I mean, later found out in the

19 United States.

20          Q     Okay. And -- and in the United States.

21          A     I mean, we found out there later.

22          Q     And why didn't she attach -- first of all, how many

23 bank accounts does have in Brazil on the date of signing this

24 document in August of 2008?

1           A     At the time I didn't know -- I didn't know that she  
2 had -- we found -- we found some bank accounts in Brazil later  
3 in our discovery.

4           Q     That existed in 2007 or 2008.

5           A     That is correct.

6           Q     Right. That she hadn't disclosed to you.

7           A     She hasn't disclosed the bank accounts.

8           Q     Okay. Now as a practical matter, you have waived  
9 that disclosure.

10          A     Correct.

11          Q     And you're not asking -- and you're attacking the  
12 agreement because she didn't give you that information.

13          A     That is correct.

14          Q     And you are asking the Court to enforce the  
15 documents for the reasons that we've articulated to the Judge.

16          A     That is correct.

17               MR. JIMMERSON: Now Exhibit UU, Madam Clerk, please.  
18 This one looks like this.

19               MS. MENTZEL: I just want to make sure it's the --

20          Q     I'm showing you Exhibit Proposed UU. What is that?

21          A     This document shows a CPF which is a social security  
22 card in -- in Brazil. It shows a bank card from Itau which is  
23 a bank in Brazil and it shows her I.D. in Brazil.

24          Q     Okay. And you had learned by of course dating her

1 that she had made quite a bit of money in her prior work  
2 before coming to stay with you in 2007, right?

3 A Correct.

4 Q Okay. And you knew her line of work?

5 A Yes, sir.

6 Q All right. Opposing Counsel asked your wife this  
7 question. Did he allow you -- we'll all stay with -- away  
8 from the word prostitute, but the question was did he allow  
9 you to continue to apply your trade. Was it opposing -- did  
10 you heard that question?

11 A Yeah, I -- I heard that question and I didn't like  
12 that question.

13 Q Okay. What was your response? What was your  
14 position as you discussed with your wife relative to -- to use  
15 opposing Counsel's words, allowing her, end of quote, to  
16 continue her prior profession?

17 A I think there's two problems with that question that  
18 opposing Counsel presented. One, I cannot force somebody to  
19 not do one thing or another. But more importantly, I think as  
20 a boyfriend, you know, before she was my girlfriend, I never  
21 judged, I never tell people what they should do for a living  
22 as long as they do, you know, things on -- you know, don't  
23 hurt anyone or whatever, but once we decided to become  
24 boyfriend and girlfriend, a condition of our boy -- being



1 boyfriend and girlfriend was that I didn't want her like she  
2 said, use her body anymore. I didn't think it was -- she  
3 needed to do that and I didn't think it was healthy for her to  
4 do that.

5 Q And you told her that the relation would end if she  
6 did, right?

7 A That is correct.

8 Q Now when you read this document, it talks about  
9 people wanting to fix their respective rights and liabilities,  
10 you want to protect your assets. These -- these are  
11 statements within the document that are all true and correct.  
12 I've taken it away from you.

13 A Yes, sir. Okay.

14 Q All right. And did you intend that this document to  
15 be binding upon yourself and upon Patricia?

16 A Yes, there is a provision in that document that says  
17 it's binding once you get married.

18 Q Okay. And did you understand that if she chose not  
19 to marry you, it would never come into effectiveness.

20 A Or if I chose not to marry her.

21 Q All right. And are the schedule of Exhibit A1  
22 accurate listing of the assets you had in -- within the  
23 document?

24 A It's a -- yes, on page -- it -- it's Bates Number --

1 I'm sorry, it's page 7 of 14. Yes, sir.

2 Q Are those true and correct?

3 A Yes, sir. That's correct.

4 Q Did your wife to be -- did your -- did Patricia ever  
5 ask the value of any of the assets?

6 A No, she hasn't.

7 Q did she have some understanding of the value of her  
8 assets?

9 A Yes, she has.

10 Q And how is that that you can say that answer -- how  
11 can you say you know that she has some understandings to the  
12 value in your three or four assets there?

13 A Well, we can take each asset separately, but --

14 Q Go ahead and do it.

15 A Okay. As far as the car is concerned, when she  
16 first met and my girlfriend, one of the first things she told,  
17 I think on the second time she met with us, is that her sister  
18 -- well, her girlfriend told her what kind of car this was and  
19 she told me that she did not know that it was worth as much as  
20 her girlfriend was told -- that told her that it was worth.  
21 So she have -- and she was definitely -- knew the value of  
22 that Mercedes.

23 As far as our lifestyle is concerned, at the time  
24 that -- that I met Patricia, I lived in -- in a rented

1 condominium on the beach in Miami. The value of that condo  
2 was 1.2 million dollars. We lived in a luxury condominium  
3 with concierge, with, you know, all the amenities that you  
4 will think you will have in Miami. We took many trips, many  
5 travel trips.

6 Q This is all before August 13 --

7 A Yes, sir.

8 Q -- of 2008?

9 A That was from the time we met. And at the time, she  
10 was very proud of the fact that I had a black American Express  
11 and carrying an American Express card which she -- which --  
12 excuse me. When -- what -- what she bragged to her friends  
13 about me having.

14 And of course, other than the lifestyle and -- and  
15 living with me, I never -- I'm sorry. I did not hide things  
16 from my wife or future wife, I should say. We lived in the  
17 same condo. She had access to my personal document, my  
18 personal files. And at the office, she had access to all the  
19 company files. And Patricia was always what she calls OCD.  
20 She likes everything to be neat and organized. It's -- it's  
21 the same for the pantry, that everything is by height. The  
22 same to our closets and everything is by -- like a type of  
23 cloth and the color of the cloth and it's the same for all the  
24 papers. I'm not a very organized person and Patricia, you

1 know, is the one that organized my office and my home.

2 Q And was she able to see the daily income?

3 A She would be able to see that in different ways.  
4 And one is when she do shipping, she will have the sign up  
5 reports. So she will see all new signups and -- that came  
6 that day and she can also choose different dates so she can  
7 see the signups let's say one week or she can do a signup of  
8 one year.

9 She had access to that, but -- but her job was to  
10 see the daily report, that's the default report that you will  
11 see each day, and know which equipment to ship to customers.

12 Q And what involvement did she have in the  
13 negotiations that fell apart with Mr. Gulio (sic)?

14 A With Guligan? The -- the negotiation with Mr.  
15 Guligan was a hard time for me in my life and Patricia was  
16 there to support me.

17 Q Okay. So let's lay some foundation. What time  
18 period are we talking about? On my timeline, I told the Judge  
19 it was the fall of 2006 --

20 A '7.

21 Q 2007, early 2008.

22 A That is correct.

23 Q Okay. And tell the Court what happened.

24 A We went to Brazil and I spent a few months in Brazil

1 in Sao Paulo with -- with my wife at -- at the time, you know,  
2 she wasn't my wife, and was negotiating a deal with Mr.  
3 Guligan to invest in Hawk Communications or Joy Phone.

4 Q And Hawk is spelled H-a-u-c-k.

5 A H-a-w-k.

6 Q H-a --

7 A Like the bird.

8 Q -- w-k. All right. Thank you. Go ahead.

9 A Okay. This negotiation, you know, time was moving  
10 forward. We signed an agreement. You know, the -- the  
11 agreement calls for specific value of the company based on  
12 clients and the -- the agreement had, you know, the cust --  
13 I'm sorry, Guligan invested in our company on a monthly basis  
14 and Guligan wanted to see -- return on that investment  
15 marketing by subscriber's growth. So the -- the value of the  
16 company is based on subscribers at the time and subscriber  
17 growth per month and that's how the investment went on.

18 Q And so you had to have for example a thousand new  
19 customers in a month to show the viability of the business.

20 A That was the hundred thousand dollars initial  
21 investment was a -- a test to see if I can keep up with the  
22 values that we -- that we discussed.

23 Q And was that money full -- or earned by you?

24 A Yes. I mean, the -- this money that he gave me, we

1 had a cost of acquisition on the contract based on a hundred  
2 dollars per use I believe it was. So the -- you know, the --  
3 my -- my job was to take that hundred thousand dollars and  
4 convert it to at least a thousand new subscribers.

5 Q And you were successful in doing so?

6 A 20 percent more. We had 1200 new subscribers.

7 Q And yet he chose to back away from the investment.

8 A He did, a day before the -- a day before he was  
9 supposed to send the -- start sending the rest of the  
10 2,000,000.

11 Q Okay. And I wanted to discuss with you more  
12 importantly than the details of the deal was, what was your  
13 wife's involvement, your wife to be, your fiancée's  
14 involvement in the -- in the sense of did she listen to  
15 conversations, did you guys go to dinner? I'm trying to  
16 demonstrate to the Court that she knew a fair amount about  
17 this transaction.

18 A Well, it's much more than this. She was much more  
19 involved because it was a tough time for me and she was not  
20 just, you know, there as a girlfriend. She was there as the  
21 only person that I communicate with about this deal. This  
22 deal was done in Brazil. Even though I start learning  
23 Portuguese, I still didn't know Portuguese. So, you know, a  
24 lot of -- basically, the only person I could talk to was --

1 was my wife or my future wife at the time.

2 Q So did you --

3 A And as deals went -- I'm sorry.

4 Q Go ahead. You're fine.

5 A As -- as the deal moved forward, she -- we  
6 celebrated and she knew that the day was going forward and  
7 when the deal crashed, you know, I thought it was the end of  
8 the world. I actually thought that my wife would leave me,  
9 because at one -- at one point I --

10 Q But she wasn't your wife at the time.

11 A Yes. I -- but I told my wife that I was afraid  
12 because the deal fell through and our lifestyle will change  
13 because I knew that she always told me that she will never a  
14 person that is poor. And -- but my wife actually -- my future  
15 wife assured me that I have the strength and my brain is worth  
16 more than investment from Guligan. She gave me the strength  
17 at that time to -- to go back to the United States and move  
18 forward.

19 Q Okay. And why do you believe that this enforcement  
20 of this document is fair to both you and to your wife?

21 A Because it protects each one equally, number one.  
22 Number two, it's something that we decided on before -- before  
23 marriage and it's something that we decided out together. So  
24 therefore, it's fair.

1 Q All right. Now you have expressed in many papers  
2 over different issues, most notably custody, of course. Your  
3 belief that your wife is not a truthful person.

4 A That is correct.

5 Q All right. Now immediately after you got married,  
6 immediately after September 26th of 2008, did she seek a green  
7 card through application to the Immigration Naturalization  
8 Bureau?

9 A I -- I couldn't tell if it's immediately, but we  
10 started the process fairly soon.

11 Q And did you -- do you -- do you bring to us and we  
12 had shown opposing Counsel her application?

13 A Yes, sir.

14 Q And did she deny ever been a prostitute?

15 A That is correct.

16 Q Did she deny ever having committed any type of a  
17 crime?

18 A That is correct.

19 Q And you know those to be untruthful answers?

20 A That is correct.

21 MR. JIMMERSON: Thank you, sir. I have no further  
22 questions. I pass the witness.

23 THE COURT: Cross examination?

24 MS. McFARLING: And again, I -- I plan to recall



1 this witness, but I'll --

2 THE COURT: Okay.

3 MS. McFARLING: -- proceed with my questioning today  
4 limited to what was just now addressed.

5 CROSS EXAMINATION

6 BY MS. McFARLING:

7 Q Sitting up on a ledge is a -- a book. If you can  
8 turn to Exhibit 7 in that book.

9 THE COURT: Which exhibit, Counsel?

10 MS. McFARLING: 7.

11 Q Is this the agreement which Mr. Guligan that you  
12 were just testifying about?

13 A It looks like it. Yes, ma'am.

14 Q And if you can turn to the second page of the  
15 exhibit.

16 A Yes, ma'am.

17 Q Is that your signature?

18 A Yes, ma'am.

19 MS. McFARLING: Okay. I'd like to move to admit  
20 Exhibit 7.

21 THE COURT: Any objection to the admission of  
22 Exhibit 7?

23 MR. JIMMERSON: Only -- I wanted to make a point.  
24 I'd like to quote Ms. Mentzel. The timing of the document, I

1 got this yesterday in -- in this booklet form. None of the  
2 exhibits are attached and both parties dropped the ball,  
3 probably did a heavy work calendar about the rules to meet  
4 five days events. That being said, I have no objection,  
5 Judge, but I just --

6 THE COURT: I appreciate that.

7 MR. JIMMERSON: -- need you to --

8 THE COURT: Well, and -- and I have been more  
9 flexible in terms of the disclosure than I was the witness  
10 designation. So I -- I note that for the record. And Exhibit  
11 7 is admitted into the record.

12 (PLAINTIFF'S EXHIBIT 7 ADMITTED)

13 MR. JIMMERSON: If anyone would have a --

14 MS. McFARLING: And I just --

15 MR. JIMMERSON: -- complaint --

16 MS. McFARLING: -- want to say --

17 MR. JIMMERSON: -- it would be us --

18 MS. McFARLING: -- this --

19 MR. JIMMERSON: -- because you obtained in January  
20 we didn't see it until --

21 MS. McFARLING: This was disclosed --

22 MR. JIMMERSON: -- after her depo.

23 MS. MENTZEL: March 30th.

24 MS. McFARLING: Of 2017. And -- and in the

1 deposition, I was asked if it had been disclosed and I was not  
2 sure at that time because Mr. Jimmerson had represented he had  
3 not seen it.

4 MR. JIMMERSON: I haven't.

5 MS. McFARLING: I went back to my office, double  
6 checked. It was disclosed on March 30th and I sent a letter  
7 to him saying it was disclosed March 30th, here is the Bates  
8 number. So it -- it was --

9 THE COURT: All right.

10 MS. McFARLING: -- disclosed quite some ago.

11 THE COURT: Well, Exhibit 7 is admitted.

12 MR. JIMMERSON: Thank you. And maybe that one was  
13 the rest of the exhibits came yesterday.

14 BY MS. McFARLING:

15 Q Do you recall us taking your bank accounts on the  
16 premarital agreement assets list?

17 A No, ma'am.

18 Q How much did you have in the bank account?

19 A I could not presently recall.

20 Q Do you recall when you prepared the asset listing  
21 that's part of the premarital agreement?

22 A It has to be before August 13, 2008.

23 Q There wasn't one attached to the June draft, was  
24 there?

1           A     No, it wasn't as I stated before.

2           Q     What was the value of the business as of August

3 2008?

4           A     I have -- I'm not sure of the value of the business.

5           Q     Do you believe it was over a million dollars in

6 value?

7           A     I am not sure of the value of the business.

8           Q     You testified earlier that on the day that you and

9 Patricia got married you met with a new office manager who was

10 going to start training new office staff?

11          A     That's an incorrect statement. You said new office

12 manager. Please quote me properly.

13          Q     It was not a new office manager?

14          A     No, ma'am.

15          Q     Okay. It was an existing office manager?

16          A     Yes, ma'am.

17          Q     Okay. And that existing office manager was going to

18 train new staff?

19          A     That is correct.

20          Q     And so how many staff did you have in say June 2008?

21          A     Like I stated before, be -- between 15 and 20

22 employees.

23          Q     And how many did you have in October 2008?

24          A     I cannot presently recollect.

1 Q More than 15 to 20?

2 A I cannot presently recollect.

3 Q How many new staff were the existing office manager  
4 -- was the existing office manager going to be training after  
5 your wedding date?

6 A I do not presently recollect the exact amount, but I  
7 would say between three to six.

8 Q You said earlier that Patricia had access to the  
9 email address in your name that's the subject of Exhibit --

10 MS. MENTZEL: UU.

11 Q -- UU.

12 A Yes, ma'am.

13 Q Does she still know the password to it?

14 A No, ma'am.

15 Q Do you consider that your email address?

16 A Yes, ma'am.

17 Q Was there anything that was negotiated between you  
18 and Patricia between the June draft and the August draft?

19 A What we were going to eat for dinner.

20 Q An -- anything in the premarital agreement  
21 negotiated?

22 A It was no reason for negotiation. We both agreed on  
23 all terms.

24 Q When you included Nedson as a minor child in the

1 June 2008 draft, did you realize he was already 18?

2 A Patricia included him in the draft.

3 Q Did you realize he was already 18 at that time?

4 A No, ma'am.

5 Q Does Patricia know Nedson was 18?

6 A You're going to have to ask your client that

7 question. Like she said, she's not good at math, so --

8 Q Did you know Goodwin (sic) before June 2008?

9 A Who is Goodwin?

10 MS. MENTZEL: Goodman.

11 Q Goodman, sorry.

12 A Goodman? Yes, ma'am.

13 Q How did you know her?

14 A Through my friend, Alex.

15 Q Did you guys go out and party with her as Patricia

16 testified to?

17 A We went out to dinners, we went out to clubs, we

18 went to their home.

19 Q Did you know this person before you met Patricia?

20 A That person meaning Mrs. Goodman?

21 Q Yes.

22 A Yes, ma'am.

23 Q You testified earlier that you contacted the rabbi

24 for Patricia to start a conversion. That rabbi provided books

1 to Patricia for the conversion in Portuguese, correct?

2 A You're going to have to ask Ms. Egosi.

3 Q You don't know the content of what she was provided  
4 for her conversion?

5 A I'm not sure of exactly what was provided, but I did  
6 go with her to the rabbi and all communication with the rabbi  
7 was in English. Yes, Patricia did not speak Por -- I mean,  
8 sorry. The rabbi did not speak Portuguese.

9 Q You testified that Patricia asked for there to be a  
10 premarital agreement. Did you want a premarital agreement at  
11 that time?

12 A I did not want a marriage at the time, but the  
13 prenuptial agreement was part of the marriage proposal.

14 Q So she required you to do a prenup in order --

15 A She --

16 Q -- to marry?

17 A She said that we will sign a prenup to prove that  
18 she's marrying me for the right reasons. She brought up the  
19 word prenup. She brought up the word marriage.

20 Q Okay. Listen to the question. Did you want to have  
21 a prenup at that time?

22 A I was not going to marry her without a prenup, but I  
23 did not propose the word prenup. I was not -- did not propose  
24 the word marriage and that was not something that I proposed.

1 Q And did you communicate to Patricia that you would  
2 not marry her without a prenup?

3 A Patricia initially communicated that to me and I  
4 agreed with her that it makes sense, that if we want -- if she  
5 wanted to get married, that we will have a prenup.

6 Q So let me get this straight. You offer -- she --  
7 she offered to sign a prenup to protect you and you after that  
8 decided that you would not marry her without a prenup, is that  
9 how it went?

10 A No, it's not how it went. Patricia came with a  
11 proposal --

12 Q That's a yes or no question.

13 A Then no.

14 Q The -- the contact at Exhibit 7 --

15 A Uh-huh (affirmative).

16 Q -- Mr. Guligan was going to purchase 40 percent of  
17 your company for \$2,000,000, correct?

18 A That is correct.

19 Q Do you believe that your company was worth -- well,  
20 it's roughly \$5,000,000, whatever the -- the -- whatever 42 --  
21 whatever 2,000,000 is 40 percent of, do you believe that was  
22 the value of your company at that time?

23 A The value of the company of the -- after the  
24 \$2,000,000 investment will equal 5,000,000 valuation. The



1 comp -- value of the company is based a number of subscribers  
2 that we can grown with that money. So it's not the value of  
3 the time of signing. It's the value at the end of the  
4 investment.

5 Q And how much did Mr. Guligan give to you?

6 A Nobody gave me anything.

7 Q You didn't receive any money as like a down payment?

8 A Oh, I received a down payment. Nobody gave me  
9 anything. It's a hundred thousand dollars.

10 Q And you were asked earlier if you had earned --  
11 fully earned that hundred thousand and you said yes, correct?

12 A Yes, ma'am.

13 Q Would it surprise you if Mr. Guligan believed that  
14 that money had been stolen by you?

15 A It wouldn't surprise me anything you say, ma'am.

16 MS. McFARLING: And we have Exhibit 22 is Mr.  
17 Egosi's deposition. You had said earlier that you would  
18 stipulate to --

19 MR. JIMMERSON: And I will.

20 MS. McFARLING: -- its admission. So I would like  
21 to move at this time for admission of Exhibit 22.

22 MR. JIMMERSON: No objection, Judge.

23 THE COURT: Exhibit 22 is admitted.

24 (PLAINTIFF'S EXHIBIT 22 ADMITTED)

1 MS. McFARLING: Okay. I -- I reserve the right to  
2 recall him in my case in chief.

3 THE COURT: Okay. Any redirect?

4 MR. JIMMERSON: No, Judge. Thank you, Judge.

5 THE COURT: Okay. You may step down.

6 THE WITNESS: Yes, sir. Should I leave this here?

7 MR. JIMMERSON: I'll help you. I'll clean it up.

8 THE WITNESS: Okay.

9 MR. JIMMERSON: Okay. Let me give this back to you.  
10 Yeah, this is hers and this is yours.

11 THE WITNESS: I know. I know. I know.

12 MR. JIMMERSON: Okay.

13 (WITNESS EXCUSED)

14 MR. JIMMERSON: Judge, as a matter of housekeeping,  
15 I would move for the admission of YY which were the questions  
16 that were answered by the parties that found its way into the  
17 August 13th document. And I think we can check with the  
18 clerk, but were not formally admitted.

19 THE COURT: Right.

20 MS. MENTZEL: I'm going to object again to  
21 authenticity and it's an incomplete document and I stated it's  
22 an incomplete document because at the very bottom of the first  
23 page, it says page 2 of 3.

24 THE COURT: Well, here -- here's -- my ruling on

1 that document -- and the doctrine of completeness allows to  
2 the extent there isn't an objection, you certainly have the  
3 opportunity to supplement the record with a more complete  
4 record.

5 I also -- it's my understanding from the testimony  
6 that was offered, the document itself is something that was  
7 created contemporaneous with basically these proceedings as  
8 far as the questions. The date is at 2017 date stamp.

9 I'm inclined to admit the exhibit with the  
10 understanding that it's not necessarily a reflection of  
11 exactly what the questions were at the time that the  
12 prenuptial agreement was drafted.

13 The witness -- there has been testimony that's been  
14 offered about those questions offered by -- from both  
15 Plaintiff and Defendant and certainly that goes to -- to the  
16 type of questions that were asked. It appeared to be fairly  
17 similar to what -- what is set forth on that form. So I'm  
18 going to admit it with that caveat for the record.

19 (DEFENDANT'S EXHIBIT YY ADMITTED)

20 MR. JIMMERSON: And you have that, right, YY?

21 THE CLERK: Yes, sir. I have all my -- I have all  
22 my documents.

23 MR. JIMMERSON: Thanks.

24 THE COURT: All right. We're nearing the 5:00

1 o'clock hour and -- and so I -- I don't know if there's a -- a  
2 very short witness that you have or --

3 MR. JIMMERSON: No, I -- I have one witness and  
4 rebuttal that would come at the end of the time of this case.

5 THE COURT: So at this point you're prepared to pass  
6 to --

7 MR. JIMMERSON: I am, absolutely.

8 THE COURT: Okay. So I think we'll pick up with  
9 that tomorrow and -- and Defendant has used approximately a  
10 hundred and fifty minutes.

11 MR. JIMMERSON: How many, please?

12 THE COURT: A hundred and fifty.

13 MR. JIMMERSON: A hundred 5-0?

14 THE COURT: Yes, 1-5 --

15 MR. JIMMERSON: Wow.

16 THE COURT: -- 0. And --

17 MR. JIMMERSON: Okay.

18 THE COURT: And --

19 MR. JIMMERSON: Well, you're not going to hear from  
20 me tomorrow.

21 THE COURT: The Plaintiff has used approximately 30.

22 MR. JIMMERSON: It's probably the way you like it.

23 THE COURT: No. No.

24 MS. McFARLING: At this point in time with Defendant

1 resting, I'd like from that judgment as a matter of law under  
2 NRCP 50B.

3 THE COURT: The oral motion is -- I -- I recognize  
4 an oral motion has been made based on the evidence that's been  
5 established. The Court denied the oral motion. We'll proceed  
6 tomorrow. Okay?

7 MR. JIMMERSON: Thank you, Judge.

8 THE COURT: Thank you.

9 MS. MENTZEL: Does Your Honor --

10 MR. JIMMERSON: We'll see you tomorrow at 1:30.

11 MS. MENTZEL: -- have a full morning or is there --  
12 is it all right for exhibit binders to be left in a corner  
13 somewhere?

14 THE COURT: I do have a morning. I mean, if you  
15 want to stack them to the side, I think we're okay.

16 MS. McFARLING: I mean, we can --

17 THE COURT: And I think we should be fine.

18 MS. McFARLING: -- put them back in there.

19 THE COURT: Well, we may have some room back here as  
20 well, but those are other binders that belong to Mr. Jimmerson  
21 as well. I'm getting a fortress here of -- of boxes. But  
22 yeah, I mean, we -- we -- that -- they should be fine. All  
23 right. Thank you.

24 MR. JIMMERSON: Thank you, Judge.

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(PROCEEDINGS CONCLUDED AT 16:58:22)

\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and  
correctly transcribed the digital proceedings in the  
above-entitled case to the best of my ability.



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Adrian N. Medrano

ORIGINAL

FILED

JUL 14 2017

*John A. Johnson*  
CLERK OF COURT

TRANS

EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

PATRICIA EGOSI,	)	
	)	CASE NO. D-16-540174-D
Plaintiff,	)	
	)	DEPT. Q
vs.	)	
	)	
YOAV EGOSI,	)	
	)	
Defendant.	)	

BEFORE THE HONORABLE BRYCE C. DUCKWORTH  
DISTRICT COURT JUDGE

TRANSCRIPT RE: EVIDENTIARY HEARING

WEDNESDAY, JUNE 14, 2017

1 APPEARANCES:

2 The Plaintiff:  
3 For the Plaintiff:

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EMILY McFARLING, ESQ.  
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5 The Defendant:  
6 For the Defendant:

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JAMES JIMMERSON, ESQ.  
KRISTINE BREWER, ESQ.  
415 S. Sixth St., #100  
Las Vegas, Nevada 89101  
(702) 388-7171

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I N D E X O F W I T N E S S E S

<u>PLAINTIFF'S WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
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YOAV EGOSI	15	19	--	--
NICOLE RAWLEY	21	32	38	--
DAVID PLOTKIN	39	47	--	--
PATRICIA EGOSI	55	90	114	--

DEFENDANT'S WITNESSES:

SHIEL EDLIN	117	138	--	--
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\* \* \* \* \*

I N D E X O F E X H I B I T S

<u>PLAINTIFF'S EXHIBITS:</u>	<u>ADMITTED</u>
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8 - Email	68
9 - Email	108
10 - Email	72
11 - Email	74
12 - Email	108

DEFENDANT'S EXHIBITS:

L, Page 1 - Balance	53
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1	Q - Green card application	100
2	U - Letter	36
3	W - Chat	49
4	UU, Page 1 - bank authorization	94
5	UU, Page 2 - bank records	97
6	GGG - Mr. Edlin bio	137
7	PPP - Emails	112
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1 LAS VEGAS, NEVADA

TUESDAY, JUNE 14, 2017

2 P R O C E E D I N G S

3 (THE PROCEEDINGS BEGAN AT 13:33:09)

4

5 THE CLERK: We're on.

6 THE COURT: We are on the record in the Egosi

7 matter, case D --

8 (COURT RECESSED AT 13:33 AND RESUMED AT 13:33)

9 THE COURT: -- 174-D. Please confirm your  
10 appearances.

11 MS. McFARLING: Emily McFarling, bar number 8567,  
12 appearing on behalf of the Plaintiff Patricia Egosi who's  
13 present to my right. And to my left --

14 MS. MENTZEL: Samantha Mentzel, bar number 13001.

15 THE COURT: Good afternoon.

16 MR. JIMMERSON: I'm surrounded, Judge. Jim  
17 Jimmerson, Kristine Brewer, on behalf of the Jimmerson Law  
18 Firm. My bar number is 264.

19 MS. BREWER: And I'm 8387.

20 MR. JIMMERSON: And in our middle is our client,  
21 Joseph Egosi.

22 THE COURT: Good afternoon.

23 MR. JIMMERSON: I would like to have the privilege  
24 of introducing to you our expert witness Shiel Edlin from

1 Atlanta, Georgia. Mr. Edlin, please stand, please. And  
2 Judge --  
3 MR. EDLIN: Afternoon, sir.  
4 THE COURT: Good afternoon.  
5 MR. JIMMERSON: Judge Duckworth.  
6 THE COURT: Welcome. All right. Welcome to Las  
7 Vegas.  
8 MR. EDLIN: Thank you.  
9 MR. JIMMERSON: And I just want to make it -- I --  
10 should have a good record. And I would like to have him of  
11 course attend the proceedings and as an expert, he's permitted  
12 under Rule 26 and 30, but I just wanted to --  
13 THE COURT: Understood.  
14 MR. JIMMERSON: -- make that formal request so we  
15 have a good record, sir.  
16 THE COURT: And -- and that is customary --  
17 customary. Is there any objection to --  
18 MS. McFARLING: And we are going to be objecting.  
19 Well, first of all, we wanted to invoke the Exclusionary Rule  
20 and we have --  
21 MR. JIMMERSON: We agree.  
22 MS. McFARLING: -- Defendant's father sitting in the  
23 back.  
24 MR. JIMMERSON: No, he knows to leave.

1 MS. McFARLING: Okay.

2 MS. MENTZEL: Okay.

3 MS. McFARLING: Second of all, we -- we are going to  
4 be objecting to the expert witness, Your Honor. We received  
5 an alleged report on Friday, do an expert witness report on  
6 Friday. I -- I don't see any -- it's extremely prejudicial.  
7 There's no way to even rebut that when we're --

8 MR. JIMMERSON: Hand me the disclosure.

9 MS. McFARLING: -- looking at trial on Tuesday when  
10 we received an alleged report on Friday. And from my  
11 understanding, the report is detailed exactly what the law in  
12 Georgia is. It's my understanding Your Honor has the ability  
13 to comprehend the law in Georgia. Both parties -- both sides  
14 have done a thorough analysis of briefing of the law in  
15 Georgia and I think this -- this expert opinion is going to be  
16 prejudicial.

17 And second of all, I don't see it offering any  
18 further than what Your Honor has already been briefed on which  
19 is basically the law.

20 THE COURT: Okay. Mr. Jimmerson?

21 MR. JIMMERSON: Thank you, Judge. This witness was  
22 disclosed on March 1 or March 2 of 2017, four months ago. His  
23 report changed when he learned of the testimony of Mrs. Egosi  
24 on May 30th. That's why the report was filed promptly in 11

1 days following the deposition and therefore there's no  
2 prejudice to the Plaintiff because of the change in testimony  
3 that you've heard and you would know -- and I'm not looking  
4 into your own brain today, we'll hear it from you one way or  
5 the other, but your internal thinking and thinking process as  
6 to whether or not this is a different case than the one you  
7 thought you had on May 20th.

8 I -- I think it would definitely demonstrate why  
9 this man should be permitted to testify. He was disclosed --  
10 his resume. He's known to -- to the Plaintiff's Counsel.  
11 He's a mem -- member of the American Academy, he's a member of  
12 the American College of Family Trial Lawyers. He is, if not,  
13 the pre -- one of the half a dozen most prominent family law  
14 lawyers in Atlanta, Georgia, but there's no prejudice to the  
15 Plaintiff except for the natural fact that -- that he's giving  
16 testimony and a report that's three pages long that details  
17 his points.

18 And I discussed with you in my opening statement my  
19 recognition. It's not the first time I've called a lawyer as  
20 a witness and I'm not going to intrude upon your province and  
21 if do, you'll -- you'll either object or you'll -- you'll  
22 caution me, but that's no my intent. There's other parts of  
23 his testimony that would be helpful to you and when you look  
24 at NRS 48 and 49 which is the equivalent of, you know, FRCP

1 5.702, 703, and 704, I believe you'll find his testimony will  
2 help and because it's a bench trial, you'll also have the  
3 ability to accept it all, reject it all, or accept a portion  
4 or reject other, so it's certainly -- it goes to issues.

5 And -- and when you look at the case law with regard  
6 to lawyers serving as experts, they're always permitted to  
7 testify about facts and ultimate facts and there is of course  
8 the dividing line as to and not invading the province of the  
9 Court, but that's left to you.

10 But I -- as I announced it at the opening of the  
11 statement, I'm sensitive to that and you won't find me trying  
12 to evade that. I -- I have great confidence in you and so the  
13 -- the -- I'm not going to trifle with the Court, but I do  
14 think it's important because it's an area of law that does not  
15 based upon the statutes -- and that's why it's important,  
16 Georgia law does not have -- not only does it not have the  
17 Uniform Premarital Act like we do in Nevada, it doesn't have a  
18 statute that speaks to prenuptials. Prenuptial law in Georgia  
19 has evolved by cases dramatically changing in 2005 with the  
20 Malon (ph) Georgia Supreme Court case. So that's why I think  
21 it would be of --

22 THE COURT: Well, let --

23 MR. JIMMERSON: -- aid to the Court.

24 THE COURT: -- let -- let me ask. Is -- is

1 Counsel's objection -- objection more to the timing of the  
2 report? It's not to the potential receipt by the Court of  
3 expert --

4 MS. MENTZEL: Well --

5 THE COURT: -- testimony?

6 MS. MENTZEL: -- here -- here's also the objection,  
7 Your Honor. The -- the person -- the expert witness was not  
8 disclosed in March. He was disclosed May 15th of 2017 and  
9 Defendant's amended discloses of expert witnesses and docs, we  
10 literally -- we -- we've never even had a chance to talk to  
11 this man, go over this report. He states conclusions of fact  
12 in his report.

13 MR. JIMMERSON: Right.

14 MS. MENTZEL: There's actually a new case law in  
15 Colorado that came out.

16 THE COURT: Well -- well, hang on. Before we get  
17 into that, because, I mean, we're starting to -- to get into  
18 some of the legal nuances and arguments and I -- and I'd  
19 rather -- I want to make sure we use our time effectively to  
20 -- to get the factual evidence into the record. And -- and I  
21 can make determinations at a later time in regards to  
22 additional testimony. And -- and obviously, I'll need some  
23 clarification on exactly when the notice was provided of the  
24 expert witness's designation. I --



1 MR. JIMMERSON: I'm quoting you for what I was told  
2 by Ms. Brewer and I know that he was retained in that time  
3 period, so.

4 THE COURT: And I -- and I understand as well. I've  
5 had the chance to read the briefs that have been submitting by  
6 the parties and that's also included the -- the opportunity  
7 for the Court to -- to pull cases that have been cited in your  
8 respective briefs and I -- I recognize some of those. Your  
9 briefs reference a lot of the same cases from Allen to Cher to  
10 Alexander and I've had a chance to review those cases as it --

11 MR. JIMMERSON: May I --

12 THE COURT: -- pertains to the application of  
13 Georgia law. There may be some assistance to the Court in  
14 hearing from someone who practices in Georgia recognizing that  
15 we're perhaps more familiar. I'm more familiar with the  
16 application of the Nevada statutory scheme. Do you have  
17 something, Mr. Jimmerson?

18 MR. JIMMERSON: Yes, I do. March 1 of 2017, the  
19 disclosure of Shiel Edlin, Page 3 of the Defendant's  
20 disclosures of expert witnesses and documents, right on the  
21 space right there.

22 MS. MENTZEL: And I still believe Your Honor --

23 MR. JIMMERSON: Excuse me, but could I have at least  
24 an acknowledgment that --

1 THE COURT: Well, listen.

2 MR. JIMMERSON: -- there's a misstatement --

3 MS. MENTZEL: I -- I have seen --

4 MR. JIMMERSON: -- of the record?

5 MS. MENTZEL: I have seen that.

6 THE COURT: Well, listen. The -- the -- my -- my  
7 point being, I have no problem -- let -- let's proceed with  
8 testimony at -- at this point in time. It's my understanding  
9 that the Plaintiff would be calling witnesses at the outset of  
10 this. I don't think I need to spend anymore time going over  
11 that aspect and certainly our -- our expert witness can remain  
12 in the courtroom during these proceedings to listen to the  
13 testimony.

14 If it becomes -- there is -- I'm going to defer on  
15 ruling on the admission of any exhibit based on the timeliness  
16 objection that you've raised, but it -- it doesn't appear to  
17 apply to the potential expert appearing to testify as it  
18 relates to --

19 MS. MENTZEL: Your Honor, we haven't even had a  
20 chance to go through the report and retain our own expert.  
21 This is also in the time line where we received about 12,000  
22 documents, I believe. So it's the course of getting dumped  
23 on. Our expert report getting dumped on I believe 17 binders  
24 of documents to that -- to that effect. So it's looking at a

1 point where even if we're looking at allowing expert report in  
2 or testimony, I don't believe the timeliness, because you have  
3 to file -- or you have to disclose your expert -- expert -- is  
4 it 20 days or 60 days? 60 days after the disclosure of the  
5 financial disclosure form you have to list your expert  
6 witness. I do not believe that had occurred in this place,  
7 Your Honor.

8           Second of all, you're required to provide the report  
9 for the expert. We don't even know what this man is going to  
10 say. I believe it's 60 days prior to the -- I mean, close of  
11 discovery, surely, not less than one business day prior to  
12 your trial.

13           THE COURT: Well, listen. And -- and I -- I don't  
14 want to spend much more time on this. This was set in a very  
15 unique fashion as it relates to the pre -- prenuptial  
16 agreement because both parties indicated this is a desi -- a  
17 desired to have this litigated sooner rather than later. So  
18 it was not necessarily set in the normal course of the  
19 proceedings of this case. In fact, as I recall yesterday and  
20 today originally were scheduled as trial dates on the custody  
21 issue. At -- at par -- at both parties' request, I moved the  
22 -- the custody aspect of this case and utilized today's date  
23 and yesterday's date for purposes of -- of the trial of the  
24 prenuptial agreement.

1 THE COURT: Okay.

2 (WITNESS SUMMONED)

3 MR. JIMMERSON: Go get them, tiger.

4 MS. MENTZEL: And -- and Your Honor, I would ask to  
5 exclude the -- the expert witness simply due to the fact that  
6 they're only hearing testimony that's occurring today. We  
7 also haven't heard any -- the witness hasn't heard any  
8 testimony that came through yesterday.

9 THE COURT: Understood, but that's not a basis to  
10 exclude the --

11 MS. MENTZEL: Okay.

12 THE COURT: -- expert, so the -- the request is  
13 denied. Please raise your right hand and stand to be sworn.

14 THE CLERK: You do solemnly swear the testimony  
15 you're about to give in this action shall be the truth, the  
16 whole truth, and nothing but the truth, so help you God?

17 MR. EGOSI: Yes, sir.

18 THE COURT: You may be seated. Counsel, you may  
19 proceed.

20 YOAV EGOSI  
21 called as a witness on behalf of the Plaintiff, having been  
22 first duly sworn, did testify upon his oath as follows on:

23 DIRECT EXAMINATION

24 BY MS. MENTZEL:

1           That being said, we didn't have a true discovery  
2 order, unfortunately, and perhaps in retrospect, but in an  
3 effort to try and expedite the processing of this case, I set  
4 these days aside for the purpose of taking testimony about the  
5 prenup -- pre -- prenuptial agreement.

6           It does appear from what I'm -- what I'm hearing  
7 that there was notice of an expert being designated in --

8           MR. JIMMERSON: March 1.

9           THE COURT: -- March 1 of -- of this year. I  
10 recognize there still may be a valid objection to the  
11 admissibility of a report, but I don't find that there would  
12 be a basis to -- to do that testimony if necessary.

13           Again, I've indicated and I repeat that I've had a  
14 chance to review the memorandums that have been submitted.  
15 Both parties have extensively referenced, cited, and quoted  
16 portions of case law from the state of Georgia and I've had a  
17 chance to pull some of those cases to lake -- take a look at  
18 that as it applies to this case recognizing that that is the  
19 -- the choice of law designated in the prenuptial agreement.

20           So let's -- let's go ahead and proceed with evidence  
21 at this time and the Plaintiff may call your -- your first  
22 witness.

23           MS. MENTZEL: Your Honor, we would like to call Joe  
24 Egosi to the stand.

1 Q Patricia began working for Hawk Communications in  
2 2007, correct?  
3 A That is correct.  
4 Q And Patricia's work schedule was approximately 40  
5 hours a week, correct?  
6 A In what time frame, please?  
7 Q Beginning in 2007 when she began working for you.  
8 A In 2007, it was.  
9 Q Yes. And for how long did she continue working for  
10 40 hours per week?  
11 A Until we got married more or less.  
12 Q And you were married on what day again, sir?  
13 A September 26th, 2008.  
14 Q So Patricia worked full-time for approximately -- is  
15 that 18 months, is that correct?  
16 A That is correct.  
17 MR. JIMMERSON: Objection, that misstates the  
18 record.  
19 MS. MENTZEL: I -- I --  
20 THE COURT: It's overruled.  
21 THE WITNESS: There is one caveat to that. Let me  
22 correct that. When we traveled --  
23 MS. MENTZEL: There is no question pending --  
24 THE WITNESS: Okay.

1 MS. MENTZEL: -- sir.  
2 THE WITNESS: When we traveled --  
3 MS. MENTZEL: There is no question --  
4 THE WITNESS: Okay.  
5 MS. MENTZEL: -- pending.  
6 THE COURT: Wait -- wait --  
7 MS. MENTZEL: I move --  
8 THE COURT: -- for another --  
9 MS. MENTZEL: -- to strike.  
10 THE COURT: -- question.  
11 THE WITNESS: Yes, sir.  
12 BY MS. MENTZEL:  
13 Q And did she work for Hawk Communications after  
14 marriage?  
15 A On and off.  
16 MS. MENTZEL: The Court's indulgence for a moment,  
17 Your Honor.  
18 Q Okay. So after marriage on and off, you didn't pay  
19 her, did you?  
20 A She did get some compensation.  
21 Q Okay. And prior to marriage, how much did you pay  
22 her?  
23 A About \$3,000 a month.  
24 Q And how did you pay her?

1 A Checks and at some point some money.  
2 Q Do you have any proof of that payment?  
3 A I'm sure we do. I mean, I'm sure I can get it. I  
4 don't have it in front of me.  
5 Q Have you ever used any illegal substances?  
6 A No.  
7 Q Have you ever smoked marijuana?  
8 A No.  
9 Q Have you ever used ecstasy?  
10 A No.  
11 Q Have you ever used GHB?  
12 A No.  
13 Q Have you ever used meth?  
14 A No.  
15 MR. JIMMERSON: Objection, Judge. I thought this  
16 case had to do with the prenuptial agreement.  
17 THE COURT: Understood. It -- it's an objection as  
18 to relevance. The objection is overruled.  
19 BY MS. MENTZEL:  
20 Q And prior to marriage, did you ever tell Patricia  
21 the value of your business?  
22 A It was not something that she asked.  
23 Q And after marriage, did you ever tell Patricia the  
24 value of your business?



1 A It was not something that she asked.

2 MS. MENTZEL: I have no further questions, Your  
3 Honor.

4 THE COURT: Any questions, Counsel?

5 MR. JIMMERSON: Yes, I do.

6 CROSS EXAMINATION

7 BY MR. JIMMERSON:

8 Q Mr. Egosi, did your wife have credit cards prior to  
9 marriage?

10 MS. MENTZEL: Objection, beyond the scope.

11 MR. JIMMERSON: Well, if I may. My scope is what  
12 drugs did you not ever take, and then I have no other  
13 questions, Judge. I mean, that -- that's all.

14 THE COURT: Okay.

15 MR. JIMMERSON: I was just trying to introduce a  
16 document into -- into evidence. Thank you.

17 THE COURT: Okay. All right. You may step down.  
18 Thank you.

19 THE WITNESS: Thank you, sir.

20 (WITNESS EXCUSED)

21 MS. MENTZEL: Your Honor, I would like to call  
22 Nicole Rawley to the stand.

23 (WITNESS SUMMONED)

24 MS. MENTZEL: And for the record, I know we admitted

1 his deposition yesterday, Mr. Egosi's deposition. I would  
2 like to publish his deposition.

3 THE COURT: Okay. I know that practice was referred  
4 to yesterday, but --

5 MS. MENTZEL: Yes.

6 MR. JIMMERSON: I -- I have no objection.

7 THE COURT: That -- that's fine.

8 MR. JIMMERSON: I -- I want to confirm that wife --  
9 that wife's deposition is also admitted --

10 MS. MENTZEL: Absolutely.

11 MR. JIMMERSON: -- Ms. Mentzel.

12 MS. MENTZEL: Yes.

13 MR. JIMMERSON: Is that right?

14 THE COURT: I -- I believe it is. Let me just let  
15 you know just for -- for purposes of the record, the exhibits  
16 that I'm -- I'm showing that -- that have been admitted  
17 include -- that also I believe include the deposition  
18 transcripts of both parties --

19 MR. JIMMERSON: Thank you.

20 THE COURT: -- are Exhibits ZZ, Triple A, Triple E,  
21 Triple J, Triple L, Triple N, YY and 7 and 22, just so you're  
22 aware.

23 MR. JIMMERSON: Okay. Thank you.

24 THE COURT: All right. Please raise your right hand

1 to be sworn.

2 THE CLERK: You do solemnly swear the testimony  
3 you're about to give in this action shall be the truth, the  
4 whole truth, and nothing but the truth, so help you God?

5 MS. RAWLEY: Yes.

6 THE COURT: You may be seated.

7 THE WITNESS: Thank you.

8 THE COURT: Counsel, you may proceed.

9 NICOLE RAWLEY

10 called as a witness on behalf of the Plaintiff, having been  
11 first duly sworn, did testify upon her oath as follows on:

12 DIRECT EXAMINATION

13 BY MS. MENTZEL:

14 Q Please state your name for the record.

15 A Nicole Raizer (ph) Rawley.

16 Q Will you spell your last name for me, Nicole,  
17 please?

18 A R-a-w-l-e-y.

19 Q And what is your current address?

20 A 5200 Peachtree Road Northeast, Unit 3109, Atlanta,  
21 Georgia, 30341.

22 Q And do you know Plaintiff Patricia Egosi?

23 A Yes, I do.

24 Q And do you know Defendant Joe Egosi?

1 A Yes, I do.

2 Q And how did you meet Patricia?

3 A We met through a mutual friend, Claire Hudson (ph).

4 Q Okay. And in what year did you meet her?

5 A Well, we think 2009. We can't remember. We talked  
6 about 2008, maybe the end or 2009 the beginning.

7 Q So it's your -- somewhere between the end of 2008  
8 and beginning of 2009?

9 A Yes --

10 Q Okay.

11 A -- ma'am.

12 Q And what state did you meet in?

13 A In Georgia.

14 Q And was Patri -- Patricia married when you met her?

15 A Yes.

16 Q And who was she married to?

17 A She's married to Joe Egosi.

18 Q Okay. And what location did meet Patricia at? I --  
19 you went through Georgia. Was there a business? Was there a  
20 house?

21 A We met at Tattletale.

22 Q And is Tattletale?

23 A It's a nightclub.

24 Q Okay. And is that a striclub?

1 A Yes.

2 Q Okay. And was it your understanding that Joe and  
3 Patricia were living in Georgia at that time?

4 A Yes.

5 Q And how did you meet Joe?

6 A He was there the night I met Patricia.

7 Q So you two met both the very same night.

8 A Yes.

9 Q Okay. Or you three met the same time.

10 A Yes.

11 Q Okay. So you said a friend introduced you. Tell me  
12 what happened here.

13 A I met Claire -- oh, sorry. I already knew Claire,  
14 but she introduced me to Patricia and we went back and sat  
15 with her and Joe and we all talked and traded numbers and  
16 became friends.

17 Q Okay. And were working as a stripper at that time?

18 A Yes.

19 Q Okay. And did you dance for them that night?

20 A No.

21 Q Have you ever had sexual relations with Joe?

22 A Yes.

23 Q Have you ever had them with Patricia?

24 A No.

1 Q Was Patricia aware of your sexual relations with  
2 Joe?

3 A Yes.

4 Q Okay. And how do you know she was aware?

5 A Because she was there.

6 Q So --

7 MR. JIMMERSON: Your Honor --

8 Q -- you met --

9 MR. JIMMERSON: -- excuse me.

10 Q -- you don't --

11 MR. JIMMERSON: I'm going to object at this time. I  
12 don't understand the relevance. It's not a question. All of  
13 it is post-August 13, 2008. All of it is after marriage  
14 September 26, 2008. I am --

15 THE COURT: What --

16 MR. JIMMERSON: -- completely at a loss to  
17 understand what is the --

18 THE COURT: What's --

19 MR. JIMMERSON: -- relevance.

20 THE COURT: -- the offer as to relevance, Counsel?

21 MS. MENTZEL: Your Honor, the offer of relevance is  
22 I'm getting to her understanding of Patricia's English  
23 language even after the parties have signed the prenuptial  
24 agreement, even after the parties have married. This person

1 will testify that she was intimately involved with both  
2 parties even after this and can tell what the -- Patricia's  
3 understanding what the relations was after that.

4 It's also a witness to rebut --

5 THE COURT: Are these -- are these specific -- I'm  
6 not saying what -- what does this witness have to offer. What  
7 -- these --

8 MS. MENTZEL: And --

9 THE COURT: -- questions about --

10 MS. MENTZEL: And --

11 THE COURT: -- sexual --

12 MS. MENTZEL: -- I'm laying foundation --

13 THE COURT: -- relations --

14 MS. MENTZEL: -- of how well she actually knows  
15 these people.

16 MR. JIMMERSON: Judge, this lawyer knows she's  
17 trying to blacken the client and blacken her --

18 THE COURT: I --

19 MR. JIMMERSON: -- own client in the same breadth.  
20 We know have tit and now we're looking for tat. I mean,  
21 that's what -- this --

22 THE COURT: Well, listen.

23 MR. JIMMERSON: -- is all is about.

24 THE COURT: I -- I --

1 MR. JIMMERSON: It's irrelevant, Judge. I move to  
2 strike the testimony.

3 THE COURT: Well, I'm -- I'm going to overrule the  
4 objection, but I don't -- I don't want much time spent on  
5 this.

6 MS. MENTZEL: Thank you, Your Honor.

7 BY MS. MENTZEL:

8 Q So over the course of -- after you met the parties,  
9 how many times per week did you start -- start seeing the  
10 parties?

11 A Well, it -- it varied, you know. Some weeks maybe I  
12 didn't see them at all, but we became good friends. So some  
13 weeks I saw them several times a week.

14 Q And when you met Patricia end of 2008, 2009, you had  
15 conversations with her, is that correct?

16 A Sure.

17 Q Okay. And why don't you describe to me how those  
18 conversations went?

19 A Well, I'm not sure I really understand what --

20 Q Let me rephrase. Were -- were your conversations  
21 with Patricia detailed lengthy conversations?

22 A Oh, no. I mean, you know, she -- she's spoke broken  
23 English. She still kind of does sometimes depending on the  
24 subject matter.



1 Q Would you say she speaks better English now or then?

2 A Now.

3 Q Now. And would you say it was -- how -- how much  
4 better?

5 A A lot.

6 Q And have you ever done any drugs?

7 A Yes, I have.

8 Q Yes? And have you ever done any drugs with Joe?

9 A Yes, I have.

10 Q Will you name a few of the drugs you've seen Joe  
11 personally do?

12 MR. JIMMERSON: Judge, a foundation, Your Honor. If  
13 we're going to allow this testimony, I move to object on the  
14 grounds --

15 THE COURT: Sustained.

16 MR. JIMMERSON: -- it's irrelevant.

17 THE COURT: Sustained.

18 MR. JIMMERSON: Thank you.

19 BY MS. MENTZEL:

20 Q Can you tell me what drugs you've done?

21 MR. JIMMERSON: Objection, Judge. Or you've done?

22 MS. MENTZEL: You've.

23 MR. JIMMERSON: Thank you.

24 MS. MENTZEL: I --

1 MR. JIMMERSON: I still think it's a -- I'm going to  
2 object as I think it's still irrelevant, Judge.  
3 MS. MENTZEL: Your Honor, we're looking --  
4 THE COURT: Overruled.  
5 MR. JIMMERSON: She's not a --  
6 THE COURT: Overruled.  
7 MS. MENTZEL: We're looking at impeachment --  
8 THE COURT: Overruled.  
9 MS. MENTZEL: -- of a witness.  
10 BY MS. MENTZEL:  
11 Q Can you tell me what drugs you've done?  
12 A I've done cocaine, I've smoked marijuana, I've done  
13 ecstasy.  
14 Q Have you -- have you ever seen Defendant do any  
15 drugs?  
16 A Yes, I have.  
17 Q Can you tell me what drugs those are?  
18 MR. JIMMERSON: Objection, Judge. Same objection.  
19 MS. MENTZEL: Well --  
20 THE COURT: Foundation. Sustained.  
21 MS. MENTZEL: Your Honor, this is direct rebuttal  
22 testimony. I don't know how much more we had. We had  
23 Defendant sit and testify to the fact that he has never used  
24 an illegal substance. We now have somebody directly up who is

1 saying that -- who can show --

2 THE COURT: I -- I bet there still needs to be a  
3 foundation laid. I have no foundation as to --

4 MS. MENTZEL: The time frame.

5 THE COURT: -- circumstances, time --

6 MS. MENTZEL: Okay. Okay.

7 MR. JIMMERSON: In addition, it's a collateral  
8 matter and the Rules of Evidence of Nevada require that there  
9 -- you accept the witness's testimony on collateral matters.  
10 This is not an issue before the Court. This is not central to  
11 the issues --

12 THE COURT: Understood.

13 MR. JIMMERSON: -- of enforcement of the prenuptial  
14 agreement. So the Rules of Evidence would also impeach --  
15 render irrelevant the question.

16 BY MS. MENTZEL:

17 Q In the first week between 2008 and 2009, did you do  
18 any drugs with Joe Egosi in the first week that you met the  
19 parties?

20 MR. JIMMERSON: Same objection, Judge.

21 THE COURT: Overruled.

22 THE WITNESS: Yes, I did.

23 BY MS. MENTZEL:

24 Q Okay. Can you tell me what drugs you did?

1 A Cocaine.

2 Q Okay. And you have been with the parties -- let's  
3 say the first year you knew the parties between 2008 and 2009.

4 A Okay.

5 Q Can you tell me how -- what drugs you did with the  
6 -- with Joe Egosi in the first year you knew him?

7 MR. JIMMERSON: Same objection, Judge.

8 THE COURT: Overruled.

9 THE WITNESS: Probably the same that I listed. I  
10 mean, I -- I can't be certain, because this would be any  
11 number of nights. I -- I can't be certain how many nights we  
12 saw each other over a year's time.

13 BY MS. MENTZEL:

14 Q Over a -- over the year -- were there usually drugs  
15 involved?

16 A Yes.

17 Q So did you see Joe specifically do cocaine in the  
18 first week that you met him?

19 MR. JIMMERSON: Objection, Judge.

20 THE COURT: Overruled.

21 THE WITNESS: Yes.

22 BY MS. MENTZEL:

23 Q Did you see -- have -- did you see Joe -- Joe  
24 specifically do --

1 MR. JIMMERSON: Objection, Your Honor. The question  
2 is --  
3 Q -- meth --  
4 MR. JIMMERSON: -- leading.  
5 Q -- in the first year you first --  
6 THE COURT: Overruled.  
7 Q -- met him?  
8 THE WITNESS: No.  
9 BY MS. MENTZEL:  
10 Q No. Have you ever seen -- you've known Joe for how  
11 many years now?  
12 A Well, since 2000 -- late 2008, 2009.  
13 Q Okay. And so when is the last time you saw Joe do  
14 meth?  
15 A The last time I visited them at their house here in  
16 Vegas.  
17 Q And when was that?  
18 A Sometime in late 2014.  
19 Q Okay. And where did you see -- we're at his house  
20 at Vegas --  
21 A Yes.  
22 Q -- right? And where at his house in -- in Vegas did  
23 you see him do that?  
24 A The office.

1 Q The office. And were you privy to where the drugs  
2 were kept?

3 A I know some were kept in the closet.

4 Q In -- in what closet?

5 A Well, they had her stuff in the left and most of his  
6 things in the right, so it was in the right.

7 Q So you -- you believe that was Joe's closet.

8 A Yeah.

9 Q And you --

10 MR. JIMMERSON: Objection --

11 Q -- saw drugs.

12 MR. JIMMERSON: -- Your Honor. There's no  
13 foundation. It calls for speculation.

14 THE COURT: Sustained.

15 MR. JIMMERSON: It's terrible.

16 MS. MENTZEL: I have no further questions, Your  
17 Honor.

18 THE COURT: Any cross examination?

19 MR. JIMMERSON: Three questions.

20 CROSS EXAMINATION

21 BY MR. JIMMERSON:

22 Q When was Ben Egosi born?

23 A In 2014.

24 Q And how -- did you see Mr. Egosi in 2014?

1 A Yes.

2 Q And was that one trip? How often was that?

3 A I think I saw them maybe three times that year.

4 Q Okay. Was that in Las Vegas or somewhere else?

5 A In Las Vegas.

6 Q How many -- and have you continued to take drugs in

7 2008 through the present date?

8 A I have.

9 Q And has your drug taking affected your memory?

10 A No.

11 Q You don't think so? When did you come to Las Vegas

12 to meet with the lawyers?

13 A I met with Samantha on Monday.

14 Q On Monday. Okay. And where do you live?

15 A Where do I live?

16 Q Yes, ma'am.

17 A In Atlanta.

18 Q And what's the address, please?

19 A 5200 Peachtree Road, Unit 3109.

20 Q And how long have you lived there?

21 A I think I signed the lease in 2000 -- well, it ends

22 this year and it was a two year lease, so --

23 Q And I think you said on direct examination that you

24 are a stripper for -- for work?

1 A No.

2 Q What do you do for work now?

3 A I do internet marketing.

4 Q And is it X-rated marketing?

5 A No.

6 Q Okay. And when was the last time you saw Patricia

7 Egosi?

8 A This morning.

9 Q Well, before this trip today, when was the last

10 previous time you saw her?

11 A When I last saw both of them, in Vegas.

12 Q In 2014?

13 A Yes.

14 Q And you haven't seen her since 2014?

15 A Oh, I'm sorry. She came to Atlanta. I saw her

16 then.

17 Q And that was in August of 2015?

18 A No, this was last year.

19 Q Okay. 2016 you saw her in Atlanta?

20 A Yes.

21 Q Do you remember when?

22 A Yeah, I think September-ish.

23 Q In addition to your drug history in the last 10

24 years, have you also been arrested for DUI?



1           A     Yes.

2           Q     And what was the disposition of that crime -- that

3 arrest?

4           A     Well, I was arrested in -- I think it was 2006 for a

5 DUI and I think the -- I think it was dismissed 2009.

6           Q     I am not an expert on this, Ma'am. Is it in fact

7 true you are under drugs right now, under the influence of

8 drugs as you sit here right now?

9           A     No.

10          Q     Did you write a letter to -- made on behalf of

11 Patricia Egosi?

12          A     Did I write what?

13          Q     Did you write a letter on behalf of Patricia Egosi

14 in 2011? Exhibit U, please.

15          A     I'm not sure.

16          Q     Let me show you Exhibit U.

17          A     Okay.

18          Q     And ask you if you can identify this letter.

19          A     Okay.

20          Q     Under our marked exhibit.

21          A     Yes, I did.

22          Q     And you wrote that letter in 2011?

23          A     I'm not sure when I wrote this.

24          Q     Would you look at the second page and see if you can

1 find your --

2 A Ah, okay.

3 Q -- notarized --

4 A Yes.

5 Q -- statement?

6 A Yes.

7 Q What's the date, ma'am?

8 A It says September 29th, 2011.

9 Q What was the purpose that you wrote that letter for?

10 A It was something to do with Nedson (ph).

11 Q Isn't it true that it had something to do with

12 Patricia Egosi's application for a green card from United

13 States Government?

14 A Well, I'm not sure anymore if it was her or Nedson.

15 MR. JIMMERSON: Okay. Move for its admission Your

16 Honor of Exhibit U.

17 THE COURT: Any objection to the admission of

18 Exhibit U?

19 MS. MENTZEL: No, Your Honor.

20 THE COURT: Exhibit U is admitted into the record.

21 (DEFENDANT'S EXHIBIT U ADMITTED)

22 BY MR. JIMMERSON:

23 Q And you spoke to -- you knew that Mr. Egosi was

24 applying for a green card and you asked to include in your

1 letter Patricia's fluency in English, isn't that right?

2 MS. MENTZEL: Objection, misstates testimony

3 THE COURT: Over --

4 BY MR. JIMMERSON:

5 Q Answer the question.

6 THE COURT: Overruled.

7 Q Did -- weren't you asked to set forth in your letter  
8 one of the elements of the letter, one of the contents to be  
9 -- to state your understanding of Patricia's fluency in  
10 English?

11 A Honestly, I don't remember what all was asked of me  
12 to do, but if I included that in the letter, then it was  
13 probably they asked me to discuss it.

14 Q Do you attribute your poor memory to your consistent  
15 drug use over the last 10 years?

16 A No, I attribute it to being six years ago.

17 MR. JIMMERSON: Your Honor, I would like to read  
18 paragraph 3 in its entirety. Joe owns a telecommunications  
19 company and after knowing him for some time, he shared with me  
20 details about what exactly he does. Occasionally, he has  
21 asked me to help edit marketing pieces for his company.  
22 Although neither Joe nor Patricia speaks English as their  
23 native language. They are both quite fluent by now, each  
24 having multiple years of practice and study. Yet because I

1 grew up in America, I have been able to offer some small  
2 instruction to their mastery of the English grammar. I think  
3 because all three of us are multi-cultural and multilingual,  
4 it makes it easier for us to all understand and learn from  
5 each other. I am amazed at Patricia's linguistics. I believe  
6 she can communicate in nine languages. Her heavy Portuguese  
7 accent is some -- is a sort of magnetism and a joy for us.  
8 Joe and I mimic her mispronunciations to her chagrin, but it's  
9 all done through love, end of quote.

10 Thank you, Judge. I have no further questions of  
11 this witness.

12 THE COURT: Redirect?

13 REDIRECT EXAMINATION

14 BY MS. MENTZEL:

15 Q And this was in September of 2011, approximately two  
16 years after you met the parties, correct?

17 A Yes.

18 MS. MENTZEL: I have no further questions.

19 THE COURT: Okay. You may step down.

20 THE WITNESS: Thank you.

21 (WITNESS EXCUSED)

22 THE COURT: Your next witness?

23 MS. MENTZEL: Sorry. It's a mess around -- Your  
24 Honor, I'd like to call David Plotkin.

1 THE COURT: David --  
2 MS. MENTZEL: Plotkin.  
3 THE COURT: Plotkin.  
4 (WITNESS SUMMONED)  
5 THE COURT: Please remain standing and raise your  
6 right hand to be sworn.  
7 THE CLERK: You do solemnly swear the testimony  
8 you're about to give in this action shall be the truth, the  
9 whole truth, and nothing but the truth, so help you God?  
10 MR. PLOTKIN: Yes, I do.  
11 THE COURT: You may be seated. Counsel, you may  
12 proceed.  
13 THE WITNESS: Thank you.  
14 DAVID PLOTKIN  
15 called as a witness on behalf of the Plaintiff, having been  
16 first duly sworn, did testify upon his oath as follows on:  
17 DIRECT EXAMINATION  
18 BY MS. MENTZEL:  
19 Q Please state your name for the record.  
20 A David Plotkin.  
21 Q And will you --  
22 THE COURT: Can you --  
23 Q -- spell your last name for me, please?  
24 THE COURT: Thank you.

1 A Sure. Plotkin Is P-l-o-t-k-i-n.  
2 Q Please state your current address?  
3 A 2491 Meridian Avenue, Miami Beach, Florida 33140.  
4 Q Do you know Plaintiff Patricia Egosi?  
5 A Yes, I do.  
6 Q And have you ever met Defendant Yoav Egosi?  
7 A Yes, I have.  
8 Q And what year did you meet Patricia?  
9 A I met Patricia the first time in 1999.  
10 Q And where did you meet her?  
11 A I met her in a strip club named The Dollhouse --  
12 Q Dollhouse?  
13 A -- in Sunny Isles, Florida.  
14 Q And what was Patricia doing there?  
15 A She was a stripper, dancing.  
16 Q And so you met Patricia in 1999. And when you met  
17 her in 1999 --  
18 MR. JIMMERSON: Objection, the question is leading  
19 already.  
20 BY MS. MENTZEL:  
21 Q How many times per week would you say her met her --  
22 or when you saw her?  
23 A Well, I would -- this -- this was a place I would go  
24 to a lot, so I didn't know at the time really, but I found out

1 later. When she was in town, I would see her two or three  
2 times a week whenever I was there for about -- I guess about a  
3 year and a half.

4 Q A year and a half. And when you met her, could  
5 Patricia speak English?

6 A No, not -- maybe hello.

7 Q Maybe hello. Could --

8 A Yeah.

9 Q -- she speak any other words?

10 A If -- if she did, it was like mimicking or -- you  
11 know, nodding her head, things like that, you know, answering  
12 questions, simple like how are you, she might say okay, you  
13 know, things like that. And it was very little English.

14 Q So how did you communicate with her then?

15 A I really didn't back then. We really hardly talked  
16 at all but to say hello. Again, when you see somebody two or  
17 three nights in a row, there's a familiarity that might come  
18 from sitting with her and, you know, when you ask -- when she  
19 asked -- she knew I was coming from work because maybe she's  
20 -- like I mentioned it the day before, so today I came from  
21 work and she would say -- she would look at me and -- and say  
22 how -- how is your day. I -- I can't even recreate her exact  
23 words, because it wasn't a proper sentence. But again, after  
24 a couple of times of speaking with her, I became more familiar

1 with the way she communicated, I guess is what --

2 Q Let's move forward.

3 A Okay.

4 Q Okay.

5 A Sure.

6 Q We're at 1999.

7 A Sorry.

8 Q Let's move forward to 2006. Did you know Patricia

9 in 2006?

10 A Actually, in 2006, yes.

11 Q Okay. And what was your relationship with -- like

12 with Patricia in 2006?

13 A In 2006, we had -- well, in -- can I backup one -- I

14 don't want to misspeak, because we -- we actually met -- we

15 reunited a little before that.

16 Q Okay.

17 A But in 2006, we were already involved in a more --

18 you know, in -- in a relationship I would say.

19 Q When did you reunite?

20 A In 2005.

21 Q Okay. So there was a --

22 A February of 2005.

23 Q There was a period of time you guys didn't really

24 see each other? Is that what I'm understanding?



1           A     A good five years.

2           Q     Okay.

3           A     I didn't know.

4           Q     So you reunited in 2005. How did you reunite in  
5 2005?

6           A     I was in a -- a strip club named Solid Gold which  
7 later became -- called Dean's Gold in North Miami Beach,  
8 Florida. And actually, she came up -- Patricia came up to me  
9 and said hello, and actually, I was a little surprised because  
10 again, I hadn't seen her in so many years. And that's how we  
11 met -- met again or reunited again.

12          Q     Let's do a scale on one to 10. Okay.

13          A     Okay.

14          Q     In -- in 2005, 10 being absolutely fluent and one  
15 being you can't speak a lick of English.

16          A     Okay.

17          Q     Where would Patricia lay on that range in your  
18 experience?

19          A     In 2005? Maybe a -- a two, maybe a little more.

20          Q     Okay.

21          A     I mean, she -- she spoke a little better in 2005 in  
22 that a simple sentence, a casual conversation could be  
23 understood, but it still took time to have any sort of  
24 discussion about anything other than, you know, what do you

1 want to drink or how -- how are you.

2 Q What would you rate on a scale of one to 10 her  
3 English in 2006?

4 A Again, a small degree better, maybe from -- from  
5 repetition and practice of -- of saying the same things.  
6 Also, by then we had already been together whenever she was in  
7 town a few times. And so again, that familiar -- familiarity,  
8 excuse me, familiarity of speaking to the same person, it  
9 wasn't so much that she spoke better more than I understood  
10 better if that makes any sense. I -- I don't know how to  
11 describe it. I -- I -- when you're talking to somebody  
12 especially face-to-face, you get to understand facial  
13 expressions and, you know, other things other than the actual  
14 word. So -- and -- and because we had multiple -- many  
15 conversations, when she might have said something, I could  
16 fill in -- you know, she missing or word or saying the wrong  
17 word, I -- I understood though what she was trying to say.

18 Q And she would go back and forth to Brazil, correct?

19 A Yes.

20 Q Okay. Did you guys write to each other?

21 A We did. We used a chat program. We used also  
22 emails. That would be how we wrote to each other.

23 Q And how was her -- on a scale of one to 10, how  
24 would you describe her level of writing in the English

1 language?

2 A It's -- and when you were in chat, it was poor  
3 because that was let's say considered like live talking  
4 because you're like chatting back and forth.

5 Q I noticed that -- I used to -- I joked with her  
6 because I noticed in an email it might be a little better  
7 certain words. I didn't know -- but I figured out she was  
8 using a translator for an individual word, but when you use a  
9 translator, it never really comes out the way -- I mean, a --  
10 a mechanical translator, not a person.

11 I also think I remember her telling me that someone  
12 would help her --

13 MR. JIMMERSON: Objection, Judge. This is beyond  
14 the -- the question being asked. I move to strike.

15 THE COURT: It's becoming a narrative, so sustained.

16 THE WITNESS: Okay.

17 BY MS. MENTZEL:

18 Q There -- there was a -- there was a period of time  
19 you and Patricia didn't see each -- each other, is that  
20 correct?

21 A You mean after this point?

22 Q Yes, after this -- after 2006.

23 A In Dec -- after December 2006 there was a number of  
24 years, yes.

1 Q Okay. And do you know why you and Patricia were no  
2 longer seeing each other?

3 A Well, yes. She met Joe and -- and left me and I  
4 sort of was heartbroken. So that would be the reason why.

5 Q There was a time you reunited, isn't there?

6 A I bumped into the two of them -- or I should say I  
7 saw them at a -- at the same club in 2009.

8 Q In 2009. And in 2009, did you meet Joe?

9 A I met Joe on -- on the third time that I saw them at  
10 the club. The first time only Patricia came over to say  
11 hello. I sent over a drink to the two of them saying  
12 basically no hard feelings, I'm happy for the two of them, and  
13 actually Joe came up to to shake my hand and call me a  
14 gentleman, which I, you know, returned back to him the shake  
15 and he thanked me for taking good care of Patricia before, you  
16 know, he met her.

17 Q And in 2009, that scale of one to 10, what would you  
18 rate Patricia how she spoke, her English language at that  
19 time?

20 A Not much better. It's -- again, we were inside of a  
21 club at this point. I didn't see her or them I should saw  
22 outside the club. So all she was saying was -- the first time  
23 was apologizing for -- she felt bad for -- for, you know, for  
24 hurting me let's say.

1 Q And I'm -- and I'm --  
2 A And --  
3 Q -- asking you to listen to my question.  
4 A Okay. Sorry.  
5 Q On a scale of one to 10 --  
6 A Oh.  
7 Q -- what would you have rated her English at that  
8 time?  
9 A If I'm -- I'm going in the same ticks, I would say  
10 up to a three, maybe. Again, it was -- it was three sentences  
11 spoken -- very, very hard to understand -- you know, very hard  
12 to gauge it. It wouldn't be much -- it wouldn't be much of a  
13 conversation other than, you know, cordiality.  
14 MS. MENTZEL: I have no further questions, Your  
15 Honor.  
16 THE COURT: Any cross examination, Counsel?  
17 MR. JIMMERSON: I do, briefly.  
18 CROSS EXAMINATION  
19 BY MR. JIMMERSON:  
20 Q And since 2009 you have reacquainted yourself with  
21 Patricia since then, isn't that true?  
22 A Yes.  
23 Q Okay. And tell the Court when you reacquainted  
24 yourself with Patricia since 2009.

1           A     In 2010 we became friends on Facebook and we would  
2 -- I don't know, reacquainted -- communicate by, you know,  
3 listen -- looking at each other's pictures and commenting. We  
4 have a lot of mutual friends on Facebook.

5           Q     Did Patricia tell you that her husband did not want  
6 you or -- or physically around her, that is to say so that you  
7 would have another intimate relationship with her? Did  
8 Patricia tell you that?

9           A     No.

10          Q     Okay. So have you seen her in the year -- or have  
11 you seen her in the year 2017 this year?

12          A     Before last -- before in the last -- yes, the answer  
13 is yes.

14          Q     Okay. When did you see her?

15          A     I don't know the date. The calendar would be last  
16 Thursday when I flew into town.

17          Q     You were intimate with her in 2017 this year,  
18 correct?

19          A     No, I was not intimate with her.

20          Q     So I'm showing you Exhibit W.

21          A     Sure.

22          Q     This is Exhibit W, proposed, YEG011969. Did you  
23 have that exchange by email or chat in March of 2017?

24          A     Yes.

1 Q And when you referenced that you were looking  
2 forward to having a midnight snack, was that referring to the  
3 act of cunnilingus?

4 A Excuse me?

5 Q Were you talking about having sex with her that  
6 evening?

7 A No.

8 Q Okay.

9 MR. JIMMERSON: Your Honor, move the admission of  
10 Exhibit W into evidence.

11 THE COURT: Any objection to the admission of  
12 Exhibit W?

13 MS. MENTZEL: No objection.

14 THE COURT: Exhibit W is admitted into the record.

15 (DEFENDANT'S EXHIBIT W ADMITTED)

16 BY MR. JIMMERSON:

17 Q In addition to that, you also bought Patricia a  
18 telephone in January of this year, isn't that true?

19 A No, I didn't buy her a telephone, no.

20 Q Okay. So when she testified in her deposition two  
21 weeks ago that you bought her a telephone, that's not  
22 accurate. So tell me about your relationship with her having  
23 a phone that attributes to you, Mr. Plotkin.

24 A Okay. I -- I owned a phone already. I gave her the

1 phone the use until she could afford to get her own. I had a  
2 phone through T-Mobile that was -- how do I say this. I was  
3 paying every month and if I would have cancelled the phone  
4 line, I would have had to pay for the -- the retail of the  
5 phone. So I had a phone not being used, so that's what I sent  
6 her.

7 Q So the phone that you sent her is pink in color,  
8 correct?

9 A Yes.

10 Q So you owned a pink phone --

11 A Rose colored --

12 Q -- for yourself?

13 A -- if I remember correctly. It's rose.

14 MR. JIMMERSON: Exhibit L, please.

15 Q And you have also sent Patricia money, haven't you?

16 A Yes, I have.

17 Q And that -- that began when? When was the first  
18 time you had sent her money?

19 A The first time I sent her money?

20 Q Yes.

21 A Would be -- not knowing the exact dates, I would say  
22 in 2005.

23 Q Okay. And you continued to send it for years  
24 afterwards, didn't you?



1           A     I sent it in 2005, 2006, and then not again until  
2     September of 2016.

3           Q     So you don't remember sending more money in January  
4     of 2007?

5           A     January 2000 -- well, I'm sorry. Just -- maybe a  
6     week after December 2006 I could have maybe, yes.

7           Q     All right. And you would send her \$3,000 at a time,  
8     wouldn't you?

9           A     How much?

10          Q     \$3,000.

11          A     No.

12          Q     Okay. I'm going to show you a series of transfers  
13     where you paid her money \$3,000 starting in January of 2007.  
14     Can you identify those documents?

15          A     I'm reading a document that says \$300 year -- sir.

16          Q     That's 300, isn't that --

17          A     Yeah, there's a decimal point. It's 300.

18          Q     Did you send it --

19          A     There's no comma there.

20          Q     I'll -- I'll go through those amounts. Did you  
21     send --

22          A     Yes.

23          Q     -- \$300 on January of 2007, January 9th of 2007?

24          A     I can't see the -- the thing before the nine, but if

1 you're telling me that's a -- a one, then yes -- yes.

2 Q And these were gifts, sir?

3 A I'm sorry?

4 Q These were gifts to her?

5 A At that time, yes.

6 Q You're not going to claim that you were loaning her

7 money, are you?

8 A At that time, no.

9 Q Okay. Have you loaned her any money at any time?

10 A Yes, I have.

11 Q When was that?

12 A In 2016.

13 Q How much money have you given her that you've gifted

14 between 2005 to the present date?

15 A \$600.

16 Q And I'm showing you the balance of Exhibit L

17 proposed. Did you also send these additional monies to her?

18 A No.

19 Q So you did send her that -- that you're not

20 responsible for the second page of monies being sent or the

21 third page?

22 A No.

23 Q All right.

24 A I can't read the third page too clearly.

1 Q It's not what -- it's not -- it -- it's true. It's  
2 very hard to read.

3 A I can't read it, but I can tell you that no.

4 Q All right. Thank you.

5 MR. JIMMERSON: Your Honor, I move for the admission  
6 of the first page of Exhibit L into evidence.

7 THE COURT: Any objection to the admission of the  
8 first page of Exhibit L

9 MS. MENTZEL: No -- no objection, Your Honor.

10 THE COURT: Exhibit L is admitted, the first page.

11 (DEFENDANT'S EXHIBIT L, PAGE 1 ADMITTED)

12 BY MR. JIMMERSON:

13 Q And when you would meet her between 1999 and 2006,  
14 you paid her for sex, correct?

15 A No.

16 Q So you had sex but it wasn't for compensation?

17 A In 1999 and 2000 as I stated it was -- I didn't even  
18 have her phone number, so we didn't have any relationship.

19 Q Okay.

20 A In 2005 and 2006 when she was visiting from Brazil,  
21 yes, we had sex.

22 Q And she charged you for that, isn't that right?

23 A No, she did not.

24 Q You paid her cash dollars, isn't that true?

1           A     No, that's not true.

2           Q     Did you know she was working every time she came

3 from Brazil to American between 1998 and 2006 as a prostitute?

4           A     No, I did not.

5           Q     And you paid her no money.

6           A     I paid her no money for sex, yes.

7           Q     Okay. Thank you, sir.

8           MR. JIMMERSON: I have nothing else. Appreciate it,

9 sir.

10          THE COURT: Redirect?

11          MS. MENTZEL: Nothing, Your Honor.

12          THE COURT: All right. You may step down. Thank

13 you.

14          THE WITNESS: Okay. Thank you. Thank you.

15          (WITNESS EXCUSED)

16          THE COURT: Your next witness?

17          MS. MENTZEL: I would like to call Patricia Egosi to

18 the stand, Your Honor.

19          (WITNESS SUMMONED)

20          THE COURT: Please remain standing and raise your

21 right hand to be sworn.

22          THE CLERK: You do solemnly swear the testimony

23 you're about to give in this action shall be the truth, the

24 whole truth, and nothing but the truth, so help you God?

1 MS. EGOSI: Yes.

2 MS. MENTZEL: And Your Honor, I know --

3 THE COURT: You may be seated.

4 MS. MENTZEL: -- we -- I know we just went through

5 swearing in. If you might mind, could I take a quick restroom

6 break, five minutes, Your Honor?

7 THE COURT: That's fine.

8 MS. MENTZEL: Okay. Thank you.

9 THE COURT: All right. We're going to take a -- a

10 short break.

11 (COURT RECESSED AT 14:18 AND RESUMED AT 14:25)

12 THE CLERK: Okay. We're back on the record.

13 THE COURT: Please be seated. We are back on the

14 record in the Egosi matter. And you did swear in the witness,

15 right? All right. I'll remind you you're under oath.

16 PATRICIA EGOSI

17 called as a witness on her own behalf, having been first duly

18 sworn, did testify upon his oath as follows on:

19 DIRECT EXAMINATION

20 BY MS. MENTZEL:

21 Q All right. Patricia, I'm going to skip over a few

22 question, because I know opposing Counsel went over with you

23 some -- some stuff yesterday, okay?

24 A Okay.

1 Q Okay. Where are you originally from?  
2 A Brazil.  
3 Q And how long have you lived in the United States?  
4 A 10 years.  
5 Q Okay. And when did you first come to live in the  
6 United States?  
7 A On January 11, 2007.  
8 Q Okay. And have you lived in any other countries  
9 besides Brazil in the United States?  
10 A No.  
11 Q What languages do you speak?  
12 A Portuguese and English and some Spanish.  
13 Q And some Spanish. Okay. And before actually moving  
14 to the United States in 2007, there were times you came here  
15 before, correct?  
16 A Exactly.  
17 Q And why did you come here before?  
18 A For work.  
19 Q For work. And what type of work did you do?  
20 A I was a stripper.  
21 Q Okay. And did you also do some prostitution?  
22 A Yes.  
23 Q Okay. And when did you meet Joe?  
24 A In No -- November 26, 2006.

1 Q Okay. And where did you meet him?  
2 A In the strip club where I usually work.  
3 Q Okay. And were you a resident of the U.S. at that  
4 time?  
5 A No.  
6 Q Can you describe your encounter when you first met  
7 Joe? Did he come to you? Did you come to him?  
8 A I approached him, yeah.  
9 Q You approached him.  
10 A Yeah.  
11 Q And what did you do when you approached him?  
12 A Act sexy.  
13 Q Huh?  
14 A Act sexy and beautiful and tried to fish him.  
15 Q Okay. And how did you act sexy and beautiful? Did  
16 you say things? Did you --  
17 A Yeah, I said things, yeah. I --  
18 Q What did you say?  
19 A Hi, how are you, you want a dance.  
20 Q And -- and did you get into a deep discussion with  
21 him that night?  
22 A No.  
23 Q And did you and Joe keep in contact after the first  
24 time you met him?

1           A     The first time, no.

2           Q     Okay. And how many times did you meet Joe before

3 you kept contact with him for longer than a night?

4           A     One time only.

5           Q     So an -- an additional time besides the first time?

6           A     From the time that I met him for the first time I

7 don't have contact with him with -- at all until the second

8 time he came to the club and he look for me.

9           Q     Okay. Was anyone else with Joe at the club?

10          A     Yes. The first time he had his girlfriend and a

11 group of friends that have some kind of birthday party of

12 there in the VIP area.

13          Q     Okay. And then did you and Joe and his girlfriend

14 start to have a relationship outside of the club?

15          A     After the second time.

16          Q     And what kind of a relationship was that?

17          A     A sexual relationship.

18          Q     Okay. And you eventually had to go back to Brazil,

19 right?

20          A     Yes.

21          Q     Okay. And did you and Joe communicate after Brazil

22 -- or I -- strike that. Did you and Joe communicate after you

23 returned to Brazil?

24          A     Yes.



1 Q Okay. And how did you communicate?

2 A At that time he used MSN chat.

3 Q Okay.

4 A And we also exchanged some emails and two or three  
5 times I call him.

6 Q Okay. Could you read or write English at that  
7 point?

8 A No.

9 Q So how did you communicate with him then via email  
10 and MSN chat?

11 A Oh, it was so fun, because in the MSN chat, you  
12 know, that we have emotions, you know, you can send different  
13 kind of -- what do you call it again, pictures that can move  
14 and sometime speak. And most of the time I send him like  
15 sexual kind emotions with him. And I also use Google  
16 Translator. It was very hard for me because at that time I  
17 didn't know how to copy and paste, so I had to go from one  
18 window to the other to read English this so I could also write  
19 the English to this window and then go back and type. And  
20 like -- took me like forever to talk to him via MXN -- MSN.  
21 But email, I had the Google Translator help also.

22 Q And then you returned to the United States. And who  
23 did you live with?

24 A With him and his girlfriend.

1 Q His girlfriend. And how long before you became his  
2 girlfriend?

3 A I think a few weeks later.

4 Q Okay.

5 A No more than one month's.

6 Q Okay. And when Yes. outburst came back to the  
7 United States in 2007, did you go back to stripping?

8 A Before his girlfriend left the house, yes, I work  
9 for like at least 15, 20 days, I guess.

10 Q Okay. And then when you became his girlfriend, did  
11 you continue stripping?

12 A No.

13 Q Why not?

14 A Because he asked me to stop.

15 Q Okay. And so he asked you to stop. So how did you  
16 get money to live?

17 A I have money that I made from those days that I  
18 worked before I became his girlfriend. And eventually the  
19 money finished and they -- he was the one that provided  
20 everything for me.

21 Q And how long would you say -- how much money would  
22 you say you had from that 15, 20 days of service?

23 A Between 15, \$20,000.

24 Q And do you recall how long that lasted you?

1           A     At least to the time I went back to Brazil --  
2           Q     Okay.  
3           A     -- with him for the first time.  
4           Q     And what was that -- what's that time frame? When  
5 did you go back to him -- with him to Brazil the first time?  
6           A     If I'm not wrong, we went to Brazil around June  
7 2007.  
8           Q     Okay. So it lasted you at least until you went to  
9 Brazil?  
10          A     Yeah.  
11          Q     Okay. When did you start working for Joe?  
12          A     Around March or -- March or April 2007.  
13          Q     Okay. And what did Joe tell you your job will be?  
14          A     He gave me the portability departments, but I did  
15 all the things. I did customer return. I did shipping, I  
16 cleaned the offices. Yeah, I think that that was all.  
17          Q     Did Joe pay you?  
18          A     He only gave me one check. It was in the amount of  
19 a thousand five hundred dollars, I guess, and when he gave --  
20 like he -- his mother gave to him to give to me and I saw how  
21 upset she was when he -- she gave the check to him. When he  
22 gave check to me, I asked him why she was upset and he said  
23 that she was upset because he pay me more than he was supposed  
24 to pay for any other employee.

1           So I feel bad and I said like you know, you don't  
2 have to give me anymore checks since your family is upset  
3 about that. You take care of me.

4           Q     Okay. And in this office, where was the office Hawk  
5 Communications located?

6           A     It was close to the airport.

7           Q     Okay. And was it in a house? Was it in an office  
8 building?

9           A     No, it was kind of warehouse.

10          Q     A warehouse. And --

11          A     Yeah.

12          Q     -- how -- how many rooms were in this warehouse?

13          A     Wow, it was big.

14          Q     Okay. And was it all filled with Hawk  
15 Communications?

16          A     What do you mean?

17          Q     Were there other businesses in this warehouses?

18          A     We have another business in the same building --

19          Q     Okay.

20          A     -- but the warehouse was only his --

21          Q     Okay.

22          A     -- business.

23          Q     And how many rooms did you do work in?

24          A     Work was only two rooms, Joe's office and the -- the

1 office close to his there was shipping office and all the  
2 (indiscernible) returns.

3 Q Okay. And who else worked in those two rooms with  
4 you?

5 A Like in -- on the back area it was him, his father,  
6 his mother, and me.

7 Q Okay. So in -- in that one room, it was you, his --  
8 his mother --

9 A No, like his dad --

10 Q -- and his father and you.

11 A -- he's -- his dad have his own office.

12 Q Okay.

13 A His mother have also his -- her own office all the  
14 way to the back of the warehouse. And I was with Joe inside  
15 of his office. And also the other room that was close to his  
16 office, so it was the shipping room.

17 Q Okay. Portability, what does that mean?

18 A Moving numbers from existing providers to a new  
19 provider.

20 Q Okay. And you also testified you would take some  
21 payments yesterday, right?

22 A Yeah, but this was like a few months later when I  
23 guess he stopped trusting on deal with customer's credit card.

24 Q What time are your -- frame are you talking about a

1 few months ago?

2 A I can't really remember, but it was a few months  
3 later.

4 Q Did you ever write checks for the business? Did you  
5 ever see any ledgers with numbers for the business?

6 A When we moved to Atlanta, Georgia, I saw like some  
7 credit cards I think made for Hawk Communications. I saw also  
8 some credit card statement from his personal like account, I  
9 guess.

10 Q And did you ever see numbers for checking accounts?

11 A No.

12 Q Did you ever see --

13 MR. JIMMERSON: Excuse me, I'm just going to object  
14 to the question being leading, Judge. She's suggesting the  
15 answer by the question.

16 THE COURT: Overruled.

17 BY MS. MENTZEL:

18 Q So in portability, what did you exactly do?

19 MR. JIMMERSON: Object to the question. You asked  
20 and answered.

21 THE COURT: It has been. And in fact, I think even  
22 yesterday it was --

23 MS. MENTZEL: Okay.

24 THE COURT: -- discussed. It's the transfer of

1 numbers from one carrier to the other. So sustained.

2 BY MS. MENTZEL:

3 Q Can you look at Exhibit 8 for me, please, in our  
4 book?

5 A That's this one?

6 Q That's the little one, yeah. And you -- you realize  
7 we've got a whole bunch of books, right? We got a whole bunch  
8 of books from Joe with emails and stuff like that --

9 A Uh-huh (affirmative).

10 Q -- and they're from you, correct?

11 A Yeah.

12 Q Okay. And I want you to look at the first page.

13 A Okay.

14 Q And it says from Patricia Acosta. Are you Patricia  
15 Acosta?

16 A Yeah, when I worked for his business, I -- even  
17 after marriage I used my single name because he never wants --  
18 nobody knows that I was married to him.

19 Q Okay. And do you -- were you the only person who  
20 had access to this email address that --

21 A No.

22 Q -- it says from, no?

23 A No.

24 Q Who -- who else had access to this email address?

1 A I'm sure he had and maybe his dad have.  
2 Q Okay. Do you know of anyone else?  
3 A Maybe his mother --  
4 MR. JIMMERSON: Objection.  
5 A -- because they all -- they -- the controller of the  
6 whole company.  
7 MR. JIMMERSON: Move to strike the testimony as  
8 calling for speculation as there's no foundation. She used  
9 maybe. Maybe is the --  
10 THE COURT: Sustained.  
11 MR. JIMMERSON: -- last two answers.  
12 BY MS. MENTZEL:  
13 Q And I want you to look through these emails.  
14 A Uh-huh (affirmative).  
15 Q And tell me if anything about these emails sticks  
16 out to you.  
17 A Any what -- say it again, please?  
18 Q Look through these emails. Let's go to Bate --  
19 let's do Bate 1225.  
20 A Okay.  
21 Q It's the second email. Right. Do you know if you  
22 sent this email?  
23 A I don't remember. Unh-unh (negative).  
24 Q You don't remember? Okay.



1 A It was a long time ago.

2 Q And how about the next email. Do you know -- do you  
3 know if you sent this email?

4 MR. JIMMERSON: Counsel, could you just help us with  
5 the Bates stamp, please?

6 MS. MENTZEL: I'm sorry. The next Bates stamp is  
7 1227.

8 MR. JIMMERSON: Thank you so much.

9 A What is -- what is the question then?

10 Q Do you know if you sent this email?

11 A I don't remember.

12 Q Now when you signed your emails, did you ever signed  
13 them Joy Phone Billing (ph)?

14 A There was ones of the email that was signed for me.

15 Q I'm sorry, please say again?

16 A There was ones of the email that Joe Egosi signed  
17 for me was the email that I used on the -- in the beginning.

18 Q Okay. Well, we're looking at 1227. It says thank  
19 you, Joy Phone Billing. Did you ever sign a signature that  
20 said Joy Phone Billing?

21 A I don't remember.

22 Q Okay. Let's go to Exhibit 9. Do you recognize  
23 these emails? I want you to look them closely. Do you  
24 recognize them?

1 A Yes.

2 Q Okay. And why do you recognize them?

3 A Because one's a portability templates that I use it  
4 to answer customers.

5 Q What do you mean by templates?

6 A When I start work for Joy Phone, I did not write and  
7 read English. And yeah, (indiscernible) goes and Joy goes --  
8 prepare like a lot of templates for me to answer customers,  
9 like talk to them, like at least month to prepare everything  
10 because every time there come a new question. They went and  
11 prepared the template for the answer.

12 Q And who is they?

13 A Joe and his mother.

14 MS. MENTZEL: I move to admit Exhibit 9.

15 MR. JIMMERSON: No objection.

16 THE COURT: Exhibit 9 is admitted into --

17 MR. JIMMERSON: We --

18 THE COURT: -- the record.

19 (PLAINTIFF'S EXHIBIT 9 ADMITTED)

20 MR. JIMMERSON: We would ask the Court now to move  
21 to admit Exhibit 8 as well.

22 THE COURT: Counsel, it's your examination. It's up  
23 to you.

24 MS. MENTZEL: I'm going to object to 8 at this point

1 because we haven't even laid authenticity. She can't even  
2 remember if any of those are hers.

3 THE COURT: Okay.

4 MR. JIMMERSON: She said -- okay. Judge, she said  
5 that she was Joy Phone Billing.

6 THE COURT: Well, it's Plaintiff's examination, so  
7 it's --

8 MR. JIMMERSON: Thank you, Judge.

9 THE COURT: -- up to her whether or not she's going  
10 to offer it.

11 MR. JIMMERSON: Thank you. They're not going to  
12 introduce their own marked exhibits.

13 BY MS. MENTZEL:

14 Q And will you go to Exhibit 10 for me, please?

15 A Yeah.

16 Q Okay. And have you seen these documents before?

17 A Yeah.

18 Q And can you tell me what you recall of these  
19 documents?

20 A This was templates.

21 Q Those are templates. And what are --

22 A Uh-huh (affirmative).

23 Q -- these templates for?

24 A For portability.

1 Q For portability.

2 A Yeah.

3 Q Do you know who these were written by?

4 MR. JIMMERSON: Judge, I would just like to have

5 some foundation. We have them dated in 2007, so they're

6 certainly relevant for the Court's consideration, but I -- as

7 opposed to leading the witness, I'd like to have her say yes,

8 I recognize these documents, I remember I --

9 THE COURT: Sustained.

10 MR. JIMMERSON: -- sent it or I didn't sent it.

11 THE COURT: Sustained.

12 BY MS. MENTZEL:

13 Q The first page, 1259, the Bates stamp at the bottom.

14 A Yeah.

15 Q Okay. Can you tell me the date that that was

16 written on?

17 A May 8, 2007.

18 Q Okay. And who was it written from?

19 A From Billing1.

20 Q Okay. And did you ever use that email address?

21 A Yes.

22 Q Okay. And you recognize this document.

23 A Yes.

24 Q And what do you recognize it to be?

1 A This was one of my templates.

2 Q Okay. And do you know if you actually wrote this or  
3 not?

4 A No, it was prepared by (indiscernible) and Joe.

5 Q Let me ask the question differently. Do you know if  
6 you wrote this specific email or not?

7 A I copy and paste.

8 Q You copy and paste. And what about the next one,  
9 1260?

10 MR. JIMMERSON: Can we have a date, please, Counsel?

11 MS. MENTZEL: Yes, but I'm sorry, I was giving you  
12 Bates stamps. 1260.

13 Q Can you tell me what date that was sent on?

14 A May 9, 2007.

15 Q May 9, 2007. And do you recognize this email?

16 A Yeah.

17 Q And can you tell me what it is?

18 A It was also another template.

19 Q Okay. And can you look at the next -- the next  
20 page, 1261? Can you tell me the date on that?

21 A May 9, 2007.

22 Q And do you recognize this email?

23 A Yeah.

24 Q And what do you recognize that as?

1 A It was a template.

2 Q Okay. I want you to go through -- and there's one  
3 more in here, 12762. Do you rec -- can you tell me what date  
4 that email was sent on?

5 A May 1, 2007.

6 Q And do you recognize this email?

7 A Yeah.

8 Q Why do you recognize it?

9 A It was another template.

10 MS. MENTZEL: I move to admit Exhibit 10.

11 MR. JIMMERSON: No objection, Judge.

12 THE COURT: Exhibit 10 is admitted.

13 (PLAINTIFF'S EXHIBIT 10 ADMITTED)

14 BY MS. MENTZEL:

15 Q Will you go to Exhibit 11 for me, please?

16 A Yeah.

17 Q 1263, can you tell me the date that email was sent?

18 || A May 4, 2007.

19 Q And do you recognize this email?

20 | A Yes.

21 Q And can you tell me what it is?

22 A It was a template.

23 Q Okay. I want you to look at every email in this  
24 after and tell me if it says the exact same thing except for a

1 change in number.

2 A Uh-huh (affirmative).

3 Q It says the exact same thing?

4 A Yeah.

5 Q And you believe this is another template.

6 A Uh-huh (affirmative).

7 MS. MENTZEL: I move to admit Exhibit 11.

8 MR. JIMMERSON: Can you read to me the four pages --  
9 four pages of 11?

10 MS. MENTZEL: One, two, three, four, yes.

11 MR. JIMMERSON: And can I just have some voir dire.

12 VOIR DIRE EXAMINATION

13 BY MR. JIMMERSON:

14 Q Where did you get these documents? The doc -- the  
15 documents we've been talking about today, where did you get  
16 them?

17 A Where I get the documents?

18 Q Yeah, where did you physically get these documents?  
19 Yes, ma'am.

20 A They have the documents.

21 Q Okay. So you didn't provide it to them.

22 A I guess was my husband that provide that provide to  
23 you guys, right?

24 Q Okay. So they came from my -- my client's

1 production of all the 9,500 records.

2 A I -- I'm not sure. I guess so. Right.

3 Q But you didn't even -- you -- did you assemble these  
4 as you grouped these together or did they do it, your lawyers?

5 A My attorney did it.

6 MR. JIMMERSON: I have No further questions, Judge.

7 THE COURT: Okay. Any objection?

8 MR. JIMMERSON: I have no objection to the admission  
9 of Exhibit 11.

10 THE COURT: Exhibit 11 is admitted.

11 (PLAINTIFF'S EXHIBIT 11 ADMITTED)

12 DIRECT EXAMINATION CONTINUED

13 BY MS. MENTZEL:

14 Q Was there a marriage proposal between you and Joe?

15 A No.

16 Q Well, how did you and Joe decide to get married?

17 A The first time we talk about marriage when he took  
18 me to the first time to Las Vegas on Valentine's Day of 2007  
19 and we was high on ecstasy on drugs after hours and we talk  
20 about sex because, you know, X does make you love everybody.  
21 So it was first time we talk about sex or sex -- no, sorry,  
22 marriage. But after then we talk about marriage a few times  
23 until we decided to be married.

24 Q Did --



1 MR. JIMMERSON: Now --

2 Q Did Joe --

3 MR. JIMMERSON: -- move to strike the answer as

4 being non-responsive and --

5 THE COURT: Sustained.

6 BY MS. MENTZEL:

7 Q Did -- did Joe -- strike that. You signed a

8 prenuptial agreement, correct?

9 A Yes.

10 Q Okay. And who brought up the idea of that

11 prenuptial agreement?

12 A My husband.

13 Q Okay. And how -- what did he tell you?

14 A When we decides to come to marry, he came with the

15 paper, he handed to me asked to read. And I said what is that

16 and he said it's prenup agreement. This -- and asking him

17 what is a prenup agreement and he explained to me that prenup

18 agreement was something that protect whatever we have before

19 marriage.

20 Q And were you in the understanding it would protect

21 what you have before marriage as well?

22 A Excuse me?

23 Q Were you in the understanding that it would protect

24 what you have before marriage as well?

1           A     Yeah.

2           Q     Okay. Why aren't there any assets or debts of yours

3 listed to the prenuptial agreement then?

4           A     I'm not sure.

5           Q     Did you two discuss any terms of the prenuptial

6 agreement?

7           A     No.

8           Q     Do you know who drafted it?

9           A     No.

10          Q     Do you know when it was drafted?

11          A     Unh-unh (negative). No.

12          Q     Were you present when it was drafted?

13          A     No.

14          Q     Do you know if anybody else was there when it was

15 drafted?

16          A     No. Actually, can I --

17          Q     When did you sign the prenuptial agreement?

18          A     When?

19          Q     Yes.

20          A     The prenup said August 13.

21          Q     Okay. And to your knowledge before the date you

22 signed it, have you ever seen that exact document?

23          A     Can you please ask again?

24          Q     Before August 13, 2008, had you ever seen that exact

1 document?

2 A Twice.

3 Q You had seen that exact document twice.

4 A It was not exactly, because I saw the papers that he  
5 handled to me, but since I don't know like read English, I --  
6 I was -- I'm not sure was the same one.

7 Q And so you did testify to the fact that you had some  
8 other documents before --

9 A Yeah.

10 Q -- right? That he said were a prenuptial agreement,  
11 right?

12 MR. JIMMERSON: Judge, I got to object. It's  
13 leading and it's about --

14 THE COURT: Sustained.

15 MR. JIMMERSON: -- a central part of this case.

16 THE COURT: Sustained.

17 BY MS. MENTZEL:

18 Q You've seen other ver -- you have seen other  
19 prenuptial agreements before, correct?

20 A Before when?

21 Q Before August 13th.

22 A I see -- yeah.

23 Q Okay.

24 A Some pages that he handed to me.

1 Q Okay. He handed the document to you.  
2 A Yeah.  
3 Q Okay. Did you keep the document afterwards?  
4 A No.  
5 Q Okay. What happened to the document afterwards?  
6 A Since I don't know how to read, I give him back and  
7 ask him to find somebody to read this to me.  
8 Q Okay.  
9 MR. JIMMERSON: Oh, my God. Now it's going to be --  
10 let's go.  
11 Q And you met somebody to read for you. Who was this  
12 person?  
13 A It was the girlfriend of the ones of his best friend  
14 in Miami.  
15 Q Okay. And where did you meet her?  
16 A I read before like to read the prenup you said?  
17 Q Yes.  
18 A I meet her in her house.  
19 Q All right. Who was with you?  
20 A Joe was with me and then her boyfriend at the time  
21 was also with us.  
22 Q How did you physically get to her house?  
23 A Oh, Joe drive. I -- I never drive in my life.  
24 Q So you don't have a driver's license?

1 A No.

2 Q Okay. And you didn't have one at that time?

3 A No.

4 Q Okay. And you met her, Bea (ph). Did you ever sign  
5 any documents for Bea?

6 A No.

7 Q Did Bea -- what was your understanding what was  
8 Bea's position at that time?

9 A As far I know, she was kind of assistant on some law  
10 office.

11 Q And did you know Bea's full name?

12 A No.

13 Q When did you discover Bea's full name?

14 A On my deposition.

15 Q On your deposition?

16 A Yeah.

17 Q Did Bea translate the document for you  
18 line-for-line?

19 A No.

20 Q Did she explain to you paragraph by --

21 MR. JIMMERSON: Objection, Your Honor.

22 Q -- paragraph?

23 MR. JIMMERSON: I would like to have no leading  
24 questions, please.

1 BY MS. MENTZEL:

2 Q How did she explain the document to you?

3 A She read for herself and then she flip over the time

4 and say like ain't America woman going to sign a document like

5 this. You should not marry him.

6 Q Did she tell you anything else?

7 A Oh, she said like after the -- I have baby the

8 document is going to be invalid.

9 Q Okay. So do you believe the document is invalid?

10 A Excuse me, what is the question again?

11 MS. MENTZEL: I'll strike that, Your Honor.

12 Q So you were with Bea and did you sign that document

13 right then?

14 A No.

15 Q Okay. After meeting with Bea, what happened to the

16 document?

17 A We went back home because it was late at night.

18 Q Did you keep the document with you?

19 MR. JIMMERSON: Objection, Your Honor.

20 A No.

21 MR. JIMMERSON: Move to strike the answer as being

22 non-responsive to the question.

23 THE COURT: Sustained.

24 BY MS. MENTZEL:

1 Q Did you keep the document with you?  
2 A No.  
3 Q Where did the document go then?  
4 A My husband -- my husband had.  
5 Q Okay. Did you have a copy of the document?  
6 A No.  
7 Q Okay. Okay. So when you finally signed -- strike  
8 that. How did you know the prenuptial agreement you signed is  
9 the same prenuptial agreement that you were given to Bea --  
10 that was given to Bea?  
11 A I don't know.  
12 Q Did you have an attorney with you on August 13,  
13 2006?  
14 A No.  
15 Q Did you have a translator with you on August 13,  
16 2006?  
17 A No.  
18 Q That original document that was given to Bea, was  
19 there a list of assets attached to it?  
20 A I don't remember, because I -- I didn't read the  
21 document.  
22 MR. JIMMERSON: Your Honor, I don't want to educate  
23 my learned opponent, but I move to strike the testimony where  
24 she's saying 2006, August of 2006.

1 MS. MENTZEL: I apologize. August 2008.  
2 THE COURT: Sustained.  
3 MS. MENTZEL: Or I -- I did I say August 2006?  
4 MR. JIMMERSON: You did.  
5 THE COURT: Okay.  
6 MR. JIMMERSON: Two times.  
7 MS. MENTZEL: I'll beat you later. Was there I --  
8 and I apologize. I'm not sure if I requested that.  
9 Q Was there a translator present when you signed the  
10 document?  
11 A No.  
12 Q Okay. After you signed the prenuptial agreement,  
13 did you receive a copy?  
14 A No.  
15 Q How many copies were there?  
16 A When I sign?  
17 Q Yeah. How many copies of the document was there?  
18 A I don't remember.  
19 Q Okay. So did you personally walk away with a copy  
20 of the document?  
21 A No.  
22 Q Okay. I want you to turn to Exhibit UU and it's  
23 Defendant's exhibit.  
24 MS. MENTZEL: I don't know if you guys have an extra



1 copy of it. We only have one copy.

2 MR. JIMMERSON: The answer is I always come prepared  
3 and I do have --

4 MS. MENTZEL: I know you do.

5 MR. JIMMERSON: -- a copy.

6 MS. MENTZEL: Well, actually, Kristine I'm sure has  
7 a copy.

8 MR. JIMMERSON: Well, that's right. That's right.  
9 I'm taking her credit.

10 MS. McFARLING: What do you have it on currently?

11 MS. MENTZEL: Exhibit UU. It's right there. It's  
12 in here, right here.

13 MS. McFARLING: Did you --

14 MS. MENTZEL: What? Oh, no. It wasn't that one. I  
15 apologize. It is not UU. Where is it? I need to -- the  
16 Court's indulgence for a moment, Your Honor.

17 THE COURT: All right.

18 MS. MENTZEL: It is Exhibit Triple A. I apologize.  
19 It's Exhibit Triple A.

20 MR. JIMMERSON: What exhibit number, please?

21 MS. MENTZEL: Triple A. Do you guys have another  
22 copy of it? We only have one copy.

23 MR. JIMMERSON: I -- I'll look.

24 MS. MENTZEL: You know, for the witness.

1 MR. JIMMERSON: Go ahead. Go ahead. Let me show  
2 you the document. I know I have the document, just an  
3 original.

4 MS. MENTZEL: This one.

5 MR. JIMMERSON: One. Thank you.

6 MS. MENTZEL: Well, I'm wondering if you have a copy  
7 for the witness stand.

8 MR. JIMMERSON: All right.

9 MS. MENTZEL: Because I only have one copy.

10 MR. JIMMERSON: I will try to find it. I think it  
11 was on 19.

12 MS. MENTZEL: Yeah. No, I'll go ahead and just give  
13 her mine then. May I approach, Your Honor?

14 THE COURT: Yes, you may.

15 MR. JIMMERSON: No, Counsel. It's -- it's out of  
16 the book.

17 MS. MENTZEL: That's all right. I -- I'll just give  
18 her my copy, yeah.

19 Q And this document was made yesterday. Can you tell  
20 me what email this document was sent from?

21 A jegosi@gmail.com.

22 Q Okay. And whose email address is that?

23 A It's my husband's email.

24 Q Okay. Did you -- now this is an email to who?

1 A Goodman, I guess Bea.  
2 Q Goodman Bea?  
3 A Yeah.  
4 Q Okay. Did you write this email?  
5 A No.  
6 Q Okay. Did you have Joe's password to his email?  
7 A Never had.  
8 Q Okay. Did you have access to Joe's email?  
9 A Never had.  
10 Q Okay. Did you ever write any emails from Joe's  
11 email?  
12 A No.  
13 Q Okay. Did you have your own personal email address?  
14 A Yes.  
15 Q Okay. Can you look through Exhibit 14 for me pretty  
16 please, Patricia? May I represent this is your prenuptial  
17 agreement. It's already been admitted into evidence. Are --  
18 are your assets listed anywhere here?  
19 A No, it's not.  
20 Q Okay. Did you have assets at that time?  
21 A Yes.  
22 Q And what did you have?  
23 A I have jewelry and 50 percent of house in Brazil in  
24 Rio de Janeiro.

1 Q And -- and did you ever ask Joe to list your assets  
2 on here?

3 A When he prepared this, I was not there. I even know  
4 that you have website to fill up a form to have a prenup  
5 agreement. I thought --

6 Q Were you -- were you --

7 MR. JIMMERSON: Move to strike the answer as being  
8 non-responsive, Judge.

9 THE COURT: Sustained.

10 BY MS. MENTZEL:

11 Q Were you aware your assets were not listed on here?

12 A Excuse me?

13 Q Were you aware your assets were not listed on here?

14 A No.

15 Q And to your knowledge, did Joe have any additional  
16 assets that were not listed on this?

17 A Yeah, I guess he had the bank account.

18 Q Okay. Did you know how much was in that bank  
19 account?

20 A No.

21 Q Do you know how many bank accounts there were?

22 A No.

23 Q Okay. Were you ever told how much were in any bank  
24 accounts?

1           A     No.

2           Q     Now with this list of assets, do you recall the  
3 first time you saw this?

4           A     Excuse me, can you ask again?

5           Q     This -- it's Bates Stamp 347.

6           A     Yes.

7           Q     And there's a list of assets there, right?

8           A     Okay. Yeah.

9           Q     Do you know when you first saw this?

10          A     When I first saw that?

11          Q     Yes.

12          A     Not a long time ago.

13          Q     Okay. And did Joe ever tell you the value of his  
14 businesses there -- on here, Hawk Communications and Hawk  
15 Volume P?

16          A     No.

17          Q     Okay. Now you heard testimony about Mr. Guligan  
18 (ph) I believe it was yesterday, correct?

19          A     Yeah.

20          Q     Okay. How many times did you me -- meet Mr.  
21 Guligan?

22          A     I don't met him many times, but it was a few times  
23 on his residence for dinners and social meet.

24          Q     Did you ever talk business with Mr. Guligan?

1 A No.

2 Q Did you act as a translator for Mr. Guligan?

3 A No, because Mr. Guligan speak fluent Hebrew.

4 Q Hebrew. Does Joe speak Hebrew?

5 A Yes.

6 Q Okay. So when they spoke, what language did they

7 speak in?

8 A In Hebrew.

9 Q Okay. And did you draft any legal documents for

10 them?

11 A Never.

12 Q Okay. Do you know who drafted any of the

13 documentation for him?

14 A I have no idea.

15 Q Now 2007, 2008. Eventually you -- you say that you

16 ran out of money about June, right?

17 A Yeah.

18 Q Okay.

19 MR. JIMMERSON: Of -- of what year, please?

20 Q Of -- of 2007 I believe --

21 A '7.

22 Q -- you ran out of money.

23 A Yeah.

24 Q Okay. Who paid your bills after that?

1           A     My husband.  
2           Q     Okay.  Who paid for you to live?  
3           A     Joe.  
4           Q     Okay.  How did you pay for your hair to get done?  
5           A     He always went with me to the hair salon with me to  
6 get it done and he pay.  
7           Q     How did you pay for grocery shopping?  
8           A     He -- funny, because I never did groceries.  Still,  
9 I left the house.  
10          Q     Okay.  And were you aware of the finances of the  
11 home in 2007?  
12          A     Sure not.  
13          Q     Were you aware of the finances of the home in 2008?  
14          A     No.  
15          Q     Did you have a debit card in 2007 from Joe?  
16          A     No.  
17          Q     Did you have a credit card in 2007 or 2008?  
18          A     No.  
19          Q     And what was your role?  What was your position in  
20 the household then?  I know you worked 40 hours a week, but  
21 what else did you do?  
22          A     I was the house -- the time I don't know what kind  
23 of word you're going to use for that, but I took care of the  
24 house, I took care of him, I took care of him, I took care of

1 everything.

2 Q Did you do -- take care of any finances?

3 A No.

4 Q Did you write any checks?

5 A No.

6 Q Did you pay any bills?

7 A No.

8 Q Did you -- you didn't -- did you pay for your own  
9 nails?

10 A No.

11 Q Did you pay for your own shoes?

12 A No.

13 Q Okay. Did you have any money to go out and do what  
14 you wanted?

15 A No.

16 MS. MENTZEL: I have no further questions, Your  
17 Honor.

18 THE COURT: Any cross examination?

19 MR. JIMMERSON: Just a few.

20 CROSS EXAMINATION

21 BY MR. JIMMERSON:

22 Q At the time that you signed the prenuptial agreement  
23 on August 8 -- August 13 of 2008, you had a -- contrary to  
24 what you just said, you had a checking account in Brazil with



1 your former lover Ms. Silva, correct?

2 A Correct.

3 Q So when you just told there was no checking account,  
4 you just told something that wasn't true, isn't that right?

5 A When I came back to the United States --

6 MR. JIMMERSON: Thank you.

7 A Can I -- can I answer your question?

8 Q How much money did you have in cash that you said  
9 ran out by June of 2007?

10 A How -- say again, please?

11 Q How much money did you have in cash in January of  
12 2007 when you said ran out by June?

13 A Between 50 -- 10,000s, --

14 Q Or 20,000.

15 A -- 20,000, yeah.

16 Q So you spent \$20,000 in five months, six months?

17 A Yeah, because I have my bills in Brazil. I have my  
18 son's school. I have -- I have some bills for my house, but I  
19 have like apartment in Copacabana and I have my house in  
20 another location. Yeah.

21 Q Let me show you Exhibit L-1.

22 MR. JIMMERSON: Now this is Pages 2 through 6 Your  
23 Honor of Exhibit L, if you recall. We marked the first page  
24 of Exhibit L of Mr. Plotkin. These are the successive pages

1 in the same exhibit of the L-1 to the end beginning with Bate  
2 Stamp Number 928 and ending Bates Stamp Number 952. Do you --

3 MS. MENTZEL: 952, I don't have that. I have 928  
4 and 929.

5 MR. JIMMERSON: Okay. Then that's fine. I'll just  
6 use those two. 928 and 929. Thank you.

7 Q Are these copies of the money that you sent to  
8 Brazil 2007?

9 A I cannot see much in here. What is this?

10 Q You sent money to Brazil, isn't that right, in  
11 January of 2007?

12 A Yeah, but I don't see -- I don't see my name in  
13 here. I don't see --

14 Q Do you recall sending these thousands of dollars,  
15 these amounts? Just look at the top of the page. I see the  
16 date. What's the date I circled there for you?

17 MS. MENTZEL: I don't see what --

18 A I see a date, but what is my name?

19 Q Just tell me the date.

20 A Okay, but this is not my document since it's not my  
21 name here.

22 Q I don't have the time to quarrel with you. Would  
23 you read the date into the record?

24 A What is this, April 3? It's April 3 the first one.

1 Q Okay. It's June of 2007. It was 2007. Did you  
2 send 2500 to Brazil?

3 A I don't remember.

4 Q Did you send \$2,000 to Brazil?

5 A How you can tell this is mine if it's not my name  
6 there?

7 Q Okay. How did you send the money to Brazil, ma'am?

8 A I don't remember. It was some kind --

9 Q Did you send hundred dollars bills in an envelope or  
10 did it send it through money orders?

11 A I sent --

12 Q Please.

13 A -- through money order.

14 Q Thank you. Now you do remember. And what was the  
15 -- where was -- what bank was your girlfriend and your joint  
16 account?

17 A Itau.

18 Q Now you authorized monies to be transferred, Exhibit  
19 UU. This is a letter that you caused to be written, is that  
20 right?

21 A What is the question again?

22 Q Did you cause that letter to be written?

23 A If it is my signature, yes.

24 MR. JIMMERSON: Okay. Move the admission of the

1 first page of Exhibit UU.

2 THE WITNESS: Okay.

3 THE COURT: Any objection to the admission of the  
4 first page of Exhibit UU?

5 MS. MENTZEL: My only objection is I can't read it,  
6 but I mean, it's in another language.

7 MR. JIMMERSON: It's in Portuguese and it's signed  
8 by your client. No, that's not an objection to its  
9 admissibility.

10 THE COURT: Any evidentiary basis to exclude?

11 MS. MENTZEL: No, none, Your Honor.

12 THE COURT: Exhibit -- the first page to Exhibit UU  
13 is admitted.

14 (DEFENDANT'S EXHIBIT UU, PAGE 1 ADMITTED)

15 MR. JIMMERSON: Thank you.

16 BY MR. JIMMERSON:

17 Q And you transferred -- you listed the bank account  
18 that was to be transferred to from and to, correct?

19 A Okay, but I have a question about this document.  
20 What does this document come from and how you guys found this  
21 document?

22 Q Okay.

23 A Is it an email? Is it a letter? What it is?

24 Q It's an authorization by you to transfer money into

1 your --  
2 A How --  
3 Q -- girlfriend's account.  
4 A How I send this authorization? How you get this, by  
5 email, by letter, by what?  
6 Q Thank you.  
7 A I'm asking.  
8 THE COURT: Okay. You -- ma'am.  
9 MS. MENTZEL: Objection.  
10 THE COURT: It's not your opportunity to ask  
11 questions.  
12 THE WITNESS: Oh.  
13 Q The second page --  
14 MS. MENTZEL: I'm going to --  
15 Q -- of that is.  
16 MS. MENTZEL: -- object to the authentication of it.  
17 I mean, it -- she's saying that that was her signature, but  
18 she --  
19 THE COURT: It's already --  
20 MS. MENTZEL: I don't know if she's --  
21 THE COURT: It's already been admitted.  
22 BY MR. JIMMERSON:  
23 Q The four -- the page next to it, the page below it,  
24 Exhibit UU --

1 A Yes.

2 Q -- is a copy of credit cards that you possessed,  
3 correct?

4 A This is not a credit card. This is a ATM card.

5 Q What are the -- okay, fair. You -- you would have  
6 to have a bank account to have an ATM card, would you agree?

7 A Exactly.

8 Q Okay. So you had a bank account. And what -- so  
9 let's just look at what is the top blue card?

10 A My CPF.

11 Q And what is the gray card with the red in the  
12 middle?

13 A It is my ATM card.

14 Q Okay. What is the third card?

15 A My I.D.

16 Q Okay. And what's the fourth?

17 A The back of my I.D.

18 Q Okay. And you had this -- this account in 2007,  
19 2008, isn't that right?

20 A Yes.

21 MR. JIMMERSON: Move for its admission of the second  
22 page of Exhibit UU.

23 THE COURT: And how many pages is Exhibit UU?

24 MR. JIMMERSON: Two.

1 MS. BREWER: Two.  
2 MR. JIMMERSON: Two.  
3 THE COURT: Oh. Any -- any objection to the --  
4 MS. MENTZEL: No objection --  
5 THE COURT: -- second page?  
6 MS. MENTZEL: -- Your Honor.  
7 THE COURT: So Exhibit UU is admitted in total.  
8 (DEFENDANT'S EXHIBIT UU, PAGE 2 ADMITTED)  
9 BY MR. JIMMERSON:  
10 Q Now you remember you said your name was -- returning  
11 to the first two pages of Exhibit L. Your girlfriend was  
12 Sandra Silva, correct?  
13 A Yes.  
14 Q Do you see her name right there, Sandra Silva?  
15 A It's not -- it's not clear.  
16 Q Do you see S-i-l-v-a, ma'am?  
17 A Silva, yes, but the rest of the name is not -- it's  
18 not clear.  
19 Q Thank you. And do you see your name on the second  
20 page, Patricia Acosta?  
21 MS. MENTZEL: I'm sorry, what -- what Bates stamp  
22 are you looking at?  
23 MR. JIMMERSON: I'm looking at L and it's Bates  
24 Stamp Number -- I believe it's -- let me see that. Bates

1 Number 928. Do you see it, right?

2 MS. MENTZEL: I'm --

3 MR. JIMMERSON: Her name is right there on the

4 previous one.

5 MS. MENTZEL: I can't see.

6 MR. JIMMERSON: You see Silva.

7 MS. MENTZEL: The -- mine's not readable. I don't

8 see a name.

9 THE WITNESS: Yeah, I don't see either.

10 Q On the second page you don't see your name Patricia,

11 Silva, heaven -- and highlight in yellow right there?

12 A I see Acosta, but the rest of it is not clear.

13 MR. JIMMERSON: Judge, I want to read -- if -- if it

14 hasn't been already admitted, I want to reintroduce Exhibit L

15 and L1.

16 MS. MENTZEL: I'll object as the --

17 MR. JIMMERSON: The Court is looking at it. He --

18 he can certainly make out the names of -- of Sandra Silva and

19 Patricia Acosta.

20 THE COURT: Any objection, Counsel?

21 MS. MENTZEL: I'll object to the authenticity. It's

22 not clear. I can't -- I can't see.

23 THE COURT: The objection's sustained.

24 MR. JIMMERSON: Thank you, Judge.



1 BY MR. JIMMERSON:

2 Q Exhibit Q. Do you remember filling out this  
3 document for your immigration, status of your green card?

4 A What is the question again?

5 Q Did you fill out an application in 2008 to obtain  
6 your green card?

7 A No, because my husband was in charge of those  
8 documents.

9 Q I asked you the question yesterday and you said yes,  
10 you did file documents to get your green card.

11 A What is that again, sir?

12 Q Did you file documents to get your green card?

13 A I file? File is not the same thing of a fill up.

14 Q All right. So are you telling me that your husband  
15 filled out this card -- this -- this form?

16 A Yes.

17 Q Okay.

18 A He did.

19 Q And that's your excuse for why you said you had  
20 never committed prostitution (indiscernible)?

21 A What is the question? What is the question?

22 Q I've asked you -- and so when you -- when the X is  
23 put next to no to the question have you ever committed  
24 prostitution, are you saying he filled it up?

1           A     Yeah, he even make jokes about that.

2                   MR. JIMMERSON:  Move for the admission of Exhibit Q,

3 Your Honor.

4                   THE COURT:  Any objection to the admission of

5 Exhibit Q?

6                   MS. MENTZEL:  No objection, Your Honor.

7                   THE COURT:  Exhibit Q is admitted.

8                                   (DEFENDANT'S EXHIBIT Q ADMITTED)

9 BY MR. JIMMERSON:

10          Q     And your fluency in English certainly exist today,

11 would you agree?

12          A     Excuse me, sir?

13          Q     You are fluent in English today, would you agree?

14          A     I still not consider myself fluent.

15          Q     Yeah, but you don't need a translator.

16          A     No, I don't.

17          Q     Okay.  And you haven't asked for a translator in --

18          A     I --

19          Q     -- today's proceedings.

20          A     I do.

21          Q     And you didn't ask for a translator yesterday.

22          A     Yeah, I did like a few -- like a few weeks ago.

23          Q     And was that because you wanted to try to act like

24 you didn't understand the language?

1           A     No, sir. Because I still don't understand the legal  
2 words.

3           Q     Okay. Has any legal words been asked of you in this  
4 two days of trial?

5           A     No, but when you read like a -- lawyer's document,  
6 it's a lot of legal words that I do not understand these  
7 still.

8           Q     All right. Now I just have a few more question.  
9 When you were having a relationship with Mr. Plotkin, he came  
10 here to trial, when you weren't having sex with him, how did  
11 you communicate with him?

12          A     What is the question again?

13          Q     When you were not intimate with him, how did you  
14 communicate with him?

15          A     When I was not have sex with him?

16          Q     I used the word intimate. Yes, ma'am.

17          A     I speak with him in English, bad -- bad kind of  
18 English.

19          Q     All right. And you indicated in earlier testimony  
20 in -- in response to opposing question by Ms. Mentzel that you  
21 didn't know how to cut and paste, do you recall that?

22          A     Uh-huh (affirmative). I'm sorry, he took my  
23 attention. Can you repeat, please?

24          Q     Yes, ma'am. Do you recall testifying that in 2007

1 you didn't know how to cut and paste?

2 A Yes.

3 Q And so --

4 A 2007, I'm sorry about that, 2006.

5 Q Okay. And so you would write out the words in  
6 English and then --

7 A Yes.

8 Q -- you would place them into the translator --

9 A Yes.

10 Q -- is that -- okay. You certainly could have done  
11 that in August of 2008 when you signed the prenuptial  
12 agreement, didn't you?

13 A Excuse me?

14 Q You certainly could have done the very same thing in  
15 June -- June of 2008 when you received the first draft of the  
16 prenuptial.

17 MS. MENTZEL: Objection, asked and answered. It was  
18 asked yesterday as well.

19 THE COURT: Overruled.

20 BY MR. JIMMERSON:

21 Q Couldn't have you handwritten out the words and just  
22 plug them into --

23 A Yeah --

24 Q -- the translator?

1           A     -- but I never thought about that.

2           Q     Okay. And did you -- couldn't you have done that in  
3 August of 2008 as well when you signed the prenuptial?

4           A     Can you please repeat the question?

5           Q     You could write out the words and if you were  
6 concerned about the words or the meaning, you could have  
7 handwrite them and put them in the translator.

8           A     Yeah, but I never thought about that.

9           Q     Did Joe ever ask -- excuse me. Did you ever ask Joe  
10 as to the value of any of the assets that he listed?

11          A     No.

12          Q     Okay. And why is it that you're not interested in  
13 knowing?

14          A     Because I was not interested.

15          Q     Thank you. And showing you Exhibit 000, this is the  
16 tax return of 2008. You signed the tax return for 2008 with  
17 her husband, is that right?

18          A     Yes.

19               MR. JIMMERSON: Move for the admission of Exhibit  
20 000, Your Honor.

21               THE COURT: Any objection to the admission of --

22               MS. MENTZEL: I'm --

23               THE COURT: -- Exhibit 000?

24               MS. MENTZEL: -- trying to find it.

1 MS. BREWER: Oh, I've got it here for you.  
2 MS. McFARLING: We've never seen this.  
3 MS. MENTZEL: I've never seen this exhibit.  
4 MS. BREWER: It was produced on Monday.  
5 MS. MENTZEL: It was produced the day before  
6 trial --  
7 THE CLERK: I don't have it.  
8 MS. MENTZEL: -- which I don't have it --  
9 THE COURT: You don't have it.  
10 MS. McFARLING: We still don't know what --  
11 MS. MENTZEL: I don't --  
12 MS. McFARLING: -- it is.  
13 MS. MENTZEL: And I still have it in exhibit book.  
14 THE COURT: And we don't have it. Ours starts --  
15 stops at NNN.  
16 BY MR. JIMMERSON:  
17 Q And do you recall that you -- when you signed the  
18 tax return, you noticed that the business lost a hundred and  
19 fifty-five thousand dollars that year?  
20 A Whatever my husband put in front of me, I signed.  
21 Q Okay. So you can read the English language, right?  
22 You can read those numbers?  
23 A I never get the actual numbers.  
24 Q But -- but my question is can you read those

1 numbers?

2 A Yes, I can read.

3 Q And negative a hundred and fifty-five thousand four  
4 hundred and ninety-three dollars for 2008?

5 A But I never pay attention when I sign.

6 Q And when you didn't ask Mr. Egosi about any bank  
7 account that he may have had, it's because you know they had  
8 very limited funds, isn't that true?

9 A I -- I cannot hear you.

10 Q I said and you didn't ask any information about the  
11 few bank accounts that Mr. Egosi had in 2008.

12 A You kept asking him?

13 Q You didn't ask him anything about it, right?

14 A No, I did not, sir.

15 Q And you know that he had limited funds because as  
16 you testified yesterday, he was losing money in his business.

17 A Yeah, what he told me.

18 Q Since you don't need a translator and you're  
19 speaking as we observe you, how did you learn English so  
20 quickly between 2008 and 2011 that allowed Ms. Rawley to write  
21 that you were fluent in English?

22 A I learned a lot of things for love. My position was  
23 to help my husband as a wife.

24 Q Okay. And in helping your husband, you helped him

1 in his business as we discussed, right?

2 A Uh-huh (affirmative).

3 Q Okay. And you helped write out all those thousands

4 and emails and tickets, right?

5 A Excuse me, say again?

6 Q And you helped write out and respond to those 9,5000

7 tickets made?

8 A I -- I don't understand your question.

9 Q I'll ask this question. Did you have anything to do

10 with the organizing of these exhibits? They're in the

11 Plaintiff trial exhibits.

12 A I don't think so.

13 Q Okay. You marked as Exhibit 8. Do -- can you

14 recognize what Exhibit 8 is? These are a group of --

15 A This is the same one of them?

16 Q Yeah, it's the same as yours. Yes, ma'am. Can you

17 go to Exhibit 8? Go ahead and look through the exhibit,

18 please. Now who did the highlighted in yellow?

19 A I assumed it was my attorney.

20 Q Can you identify the first page of Exhibit 8?

21 A Which page, Page 5?

22 MR. JIMMERSON: I just had to object about

23 highlighting in yellow.

24 MS. MENTZEL: Yeah, I didn't know there was in



1 there.

2 MS. McFARLING: In our book?

3 MS. MENTZEL: Yeah.

4 Q My question to you is do you recognize the first  
5 page of the document?

6 A It's the email, right?

7 Q Yeah, is it written from you or to you?

8 A I don't remember who -- it probably it was me, you  
9 know, Billing1.

10 Q Okay. And it's a letter to you, correct, Patricia,  
11 in the middle of the page from Mr. Q.B., right?

12 A Yeah.

13 Q All right. And -- and the next page more emails --

14 A Uh-huh (affirmative).

15 Q -- from and to you, right?

16 A Uh-huh (affirmative).

17 MR. JIMMERSON: Your Honor, I'd like to move the  
18 admission of Exhibit 8 into evidence.

19 THE COURT: Any objection to the admission of  
20 Exhibit 8?

21 MS. MENTZEL: No objection, Your Honor.

22 THE COURT: Exhibit 8 is admitted.

23 (PLAINTIFF'S EXHIBIT 8 ADMITTED)

24 BY MR. JIMMERSON:

1 Q Exhibit -- and it's 10, 11, both in evidence, I  
2 believe? Let me show you Exhibit 12, Billing1 to EddieAngel  
3 -- Angela at hotmail. Do you see that?

4 A I see 12, is that --

5 Q Yeah. Yes, ma'am.

6 A Okay.

7 Q All right. And these are more emails that you  
8 wrote?

9 A Yeah, it was templates.

10 MR. JIMMERSON: Okay. Move for the admission of  
11 Exhibit 12, Your Honor.

12 THE COURT: Any objection?

13 MS. MENTZEL: No objection, Your Honor.

14 THE COURT: Exhibit 12 is admitted.

15 (PLAINTIFF'S EXHIBIT 12 ADMITTED)

16 BY MR. JIMMERSON:

17 Q Now you said you used a template. That --

18 A Yeah.

19 Q -- means that the company had given you some  
20 suggested wordings to paint upon what was going on, right?

21 A I cannot hear what you -- say again?

22 Q I said the template means that there was some  
23 suggested wording to be included in the message, right?

24 A I don't understand what you're trying to say.

1 Q What do you mean by the template?

2 A I -- I learned that there was some prepara --  
3 prepare like answers of questions that I was supposed to copy  
4 and paste for the customers.

5 Q Okay. I want to show you -- what -- these documents  
6 are what?

7 MS. BREWER: They'll be Triple P.

8 MR. JIMMERSON: Are they in part of C and D?

9 MR. EGOSI: Yes.

10 MS. BREWER: They're part of C and D.

11 MR. JIMMERSON: All right. So, we've pulled -- if I  
12 could just work with you Exhibit C and D, Bates Stamp Number  
13 --

14 MS. MENTZEL: Oh.

15 MR. JIMMERSON: -- 2 -- well, we're going to give  
16 you copies.

17 MS. MENTZEL: Yeah, if you -- if you have a copy of  
18 that, because otherwise C and --

19 MS. BREWER: Yeah.

20 MS. MENTZEL: -- D are right there.

21 MR. JIMMERSON: All right.

22 MS. BREWER: We've got it.

23 MR. JIMMERSON: We can pull some documents from the  
24 9,500 that were produced in Exhibits C and D.